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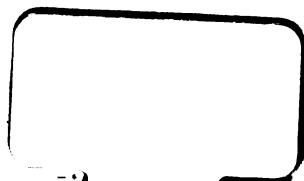
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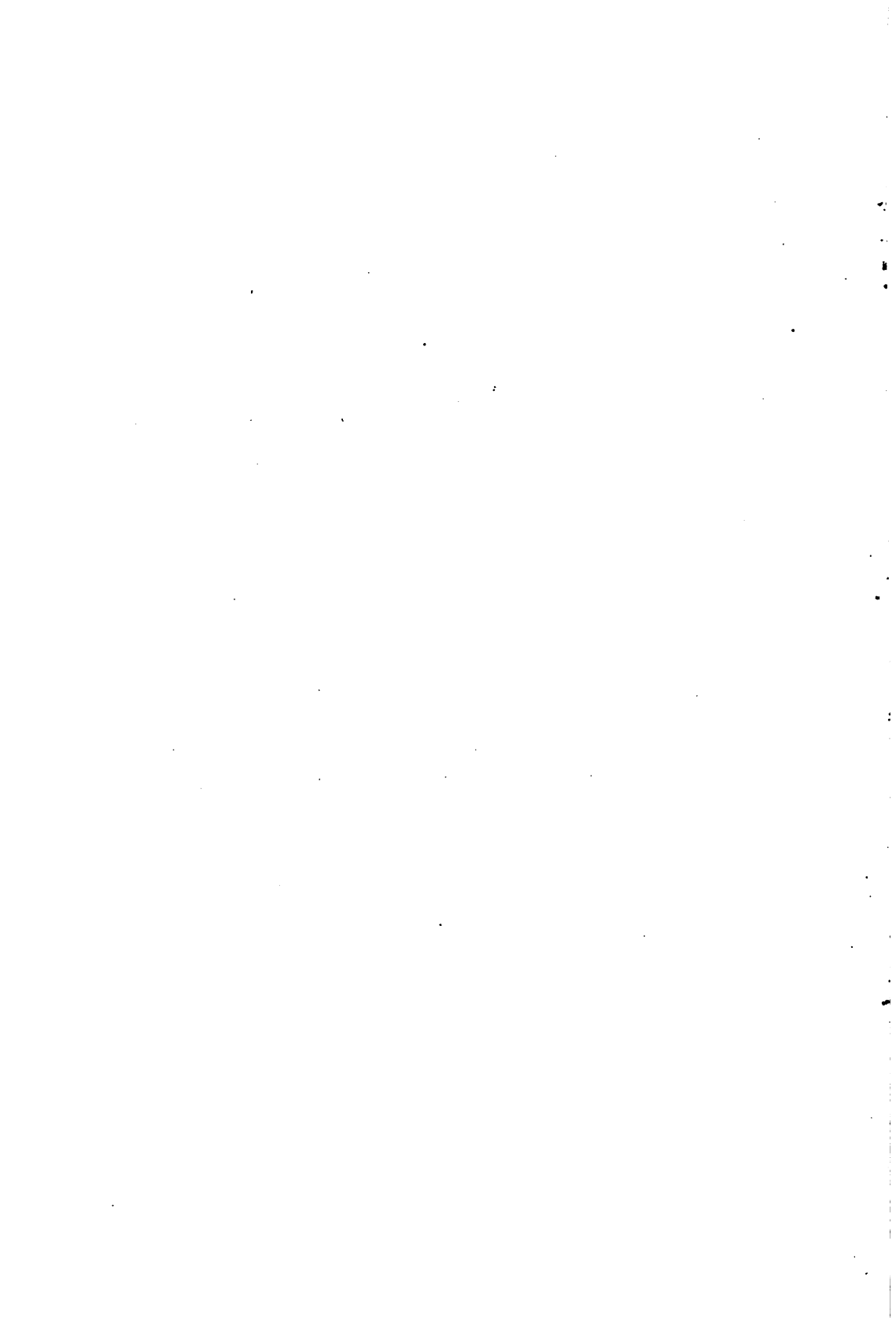


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FROM

The Association





PROCEEDINGS
OF THE
TWENTY-SECOND ANNUAL MEETING
OF THE
Indiana State Bar Association

HELD AT
INDIANAPOLIS, INDIANA
July 10, 1918

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PROCEEDINGS
OF THE
TWENTY-SECOND ANNUAL MEETING
OF THE
Indiana State Bar Association

HELD AT
INDIANAPOLIS, INDIANA
July 10, 1918

MORNING SESSION.

WEDNESDAY, July 10, 1918.

The members of the Association met at the Country Club, Indianapolis, Indiana, at 10:00 o'clock a. m., and were called to order by President Inman H. Fowler, Esq., in the chair.

PRESIDENT FOWLER: The twenty-second annual meeting of the State Bar Association will come to order. The first thing in order will be the reading of the minutes of the last session.

SECRETARY BATCHELOR: Mr. President: The minutes of the last session have been distributed in printed form to all the members, and I move that the reading of the minutes be dispensed with.

PRESIDENT FOWLER: We will take that by consent, if I hear no objection. Hearing none, it is so ordered. The sec-

retary has a few announcements to make. We will hear the secretary.

SECRETARY BATCHELOR: The program this year, on account of the war, has been limited to a one day session with the annual dinner eliminated. Meeting as we are at a distance from the city, it is very incumbent upon the Association to provide refreshments for the members during their attendance at this meeting, and we will serve at noon the regular Country Club luncheon, and this evening we will serve a good chicken dinner in accordance with the regulations of the Food Administration.

The most painful duty incumbent upon the secretary is to announce that the speaker of the evening, Hon. Lindley M. Garrison, will not be here. In January I wrote to Judge Garrison inviting him to deliver the annual address at this meeting and received a letter from him on February 1, 1918, accepting the invitation, provided it was understood that it must be subject to other matters, if they were of such a nature as to make it practically impossible for him to keep the date. I replied to that letter as follows:

"We are willing to content ourselves with the arrangement you suggest, namely, that you will engage to deliver this address provided other matters 'of such a nature as to make it practically impossible' for you to keep the date do not intervene.

"We cannot, of course, ask anyone to do the impossible, but we shall trust that nothing intervenes to prevent you coming, assuming that our date will have the preference, and that only a matter of great necessity will prevent your filling it."

The matter rested that way until in April when I wrote to Judge Garrison again suggesting the arrangement of a

one-day session and putting his address in the evening, to which he replied:

"So far as I know the arrangement suggested in your letter of having the annual address on the evening of July 10th will be entirely satisfactory to me. Only some imperative engagement over which I have no control will be permitted to interfere."

On May 22, 1918, I received another letter from him to the effect:

"I duly received your letter of May 18th. The title of my address will be: 'After the War,—What?'"

On June 17th I received a telegram from him as follows:

"I am in great embarrassment owing to two very important cases, one in the state of New Jersey and one in the state of Montana and greatly fear that in the arrangement of the dates the courts will necessitate my being in either one place or the other at a time which will make it impossible for me to be at Indianapolis on the tenth of July. I have given you information at the earliest moment I have known it, so that you may do whatever is best in the circumstances. There is no way I can prevent the court fixing a date that will prevent my attending your meeting. I have tried to do that and find that adjournments for the summer make further postponements impossible. There is, of course, a bare chance that I can attend, but it is only a bare chance and I suppose you would prefer to arrange to have someone else rather than trust to the bare chance of my being able to come. Please advise me immediately of your determination."

To which I replied as follows:

"Referring to your telegram of June 17th, I shall leave the matter as it is and make no other arrangements at this

time, preferring to trust to the chance that your affairs will so adjust themselves as to make it possible for you to come. If later it should certainly develop that it will be impossible for you to be present we will regretfully get along the best way we can. Will you kindly advise me as soon as you have definite information on the matter."

On July 3rd I received a telegram from him as follows:

"I regret to have to inform you that I have been unable to arrange my court dates in such a way as to permit of my presence at Indianapolis on July 10th. This is the contingency which I feared might confront me, and I am extremely sorry it will prevent what otherwise I should enjoy having done."

This latter telegram came at such a late date, on July 3rd, that after conference with the president of the Association and such members of the Executive Committee as I could get in touch with immediately we deemed it best to not attempt to get anybody to supply Judge Garrison's place, and will arrange a program or symposium upon his topic for a few after-dinner remarks. We will have a good dinner and I think, notwithstanding, we will have a very enjoyable meeting.

The Board of Managers has found it necessary this year to make a charge, less than the cost of the service, for guests attending the luncheon and dinner. The members of the Association will be admitted to luncheon and dinner upon presentation of their membership cards. Their guests will be admitted upon presentation of guest tickets,—one dollar for the luncheon and two dollars for the dinner, which may be obtained from the treasurer.

I also announce that the car which leaves here for Indianapolis about 10 o'clock will have extra trailers on it, so there will be ample facilities for everybody getting home.

PRESIDENT FOWLER: The next thing in order is the report of the Membership Committee.

INDIANAPOLIS, IND., July 10, 1918.

Mr. President and Members of the Indiana State Bar Association:

Your Committee on Membership begs leave to report the following members of the bar of the state for membership in this Association, whose applications have been approved by your committee:

- Everett Guy Ballard, Gary.
- Ethan A. Dausman, Goshen.
- Griffith D. Dean, Indianapolis.
- Courtland C. Gillen, Greencastle.
- Frank Gilmer, South Bend.
- Clinton H. Givan, Indianapolis.
- John J. Hall, Williamsport.
- Hubert Hickman, Spencer.
- Chester A. Lincoln, Churubusco.
- Edwin F. McCabe, Williamsport.
- Victor H. Ringer, Williamsport.
- Howard L. Townsend, Fort Wayne.
- Henry B. Walker, Evansville.
- Minnie Woersdorfer, Indianapolis.

ELIAS D. SALSBUURY, *Chairman.*

PRESIDENT FOWLER: What will you do with the report of the Committee on Membership? Shall we take it by consent? If no objection, it will be so ordered.

The next is the report of the Committee on Jurisprudence and Law Reform. Has that committee any report to make? If not, the next committee is the Committee on Legislation.

Does that committee wish to make any report? The next committee is the Committee on Legal Education.

MR. SAMUEL PARKER: I regret that this committee has not had a meeting. I suppose that is due largely to the fact that the chairman resides in the north part of the state and it is very difficult to get the committee together. I think the failure of the committee to meet might be attributed to another fact, that the chairman does not know very much about what that committee can do. Therefore, we have not had any meeting, and I have nothing further to report.

PRESIDENT FOWLER: Grievance Committee. Does that committee have any report to make? Committee on Necrology. Does that committee wish to make any report?

SECRETARY BATCHELOR: The secretary will report for that committee. There have been twelve deaths during the year, and that report of the committee is as follows:

To the State Bar Association of Indiana:

Your Committee on Necrology reports that since the last annual meeting we have been advised that the following members of our Association have died:

Marcellus A. Chipman, of Anderson.
Braden Clark, of Frankfort.
Daniel W. Comstock, of Richmond.
Edward Daniels, of Indianapolis.
Richard P. DeHart, of Lafayette.
Alexander Dowling, of New Albany.
Richard K. Erwin, of Ft. Wayne.
Charles W. Fairbanks, of Indianapolis.
George Ford, of South Bend.

John W. Kern, of Indianapolis.

Gustavus V. Menzies, of Mount Vernon.

Robert S. Taylor, of Ft. Wayne.

In accordance with the custom and with the consent of the Association, proper memorials will be prepared by the committee for publication in the minutes.

ROWLAND EVANS, *Chairman.*

GEO. H. BATCHELOR.

MERRILL MOORES.

PRESIDENT FOWLER: If no objection, the report of the Committee on Necrology will be adopted by consent. Hearing none, it is so ordered. The next is secretary's report. Has the secretary any report?

SECRETARY BATCHELOR: The secretary has nothing but a verbal report. The proceedings of 1916 showed a membership of 607; the last proceedings showed a membership of 610. During the year we have had eleven deaths and one resignation. The membership is standing, and has been standing for several years around 600, and it will continue to stand that way until the members of this Association make the induction of new members into it a person matter. It requires personal solicitation, and unless we canvass in our respective counties, the membership will stand still. The secretary has been endeavoring to increase the membership of affiliated associations, endeavoring in that way to create an interest in the respective counties.

The Association has during the year contributed twenty of its membership to the service of its country, as follows:

Captain Robert A. Adams, Indianapolis.

Lieutenant Remster A. Bingham, Indianapolis.

Colonel Emmett F. Branch, Martinsville.

Captain W. Cary Carson, Indianapolis.
Major Solon J. Carter, Indianapolis.
Alexander G. Cavins, Indianapolis.
Lieutenant Joseph J. Daniels, Indianapolis.
Lieutenant William Gavin, Indianapolis.
Captain Edward Jackson, New Castle.
Lieutenant Jackiel W. Joseph, Indianapolis.
Captain John H. Kiplinger, Rushville.
Lieutenant A. Lyle McKinney, Hammond.
Major Leslie R. Naftzger, Indianapolis.
Lieutenant C. Robert Pollard, Delphi.
Lieutenant Fred N. Prass, Lafayette.
Major Arthur R. Robinson, Indianapolis.
Captain Russell J. Ryan, Indianapolis.
Lieutenant Albert Slick, South Bend.
William H. Thompson, (Red Cross), Indianapolis.
Captain Bert Winters, Lebanon.

MR. W. A. KETCHAM: Are those the ones during this year, or is that supposed to be the entire list?

SECRETARY BATCHELOR: That is the entire representation of the State Bar Association, so far as the secretary has been advised.

MR. W. A. KETCHAM: I did not notice the name of Ralph M. Ketcham mentioned in that list.

SECRETARY BATCHELOR: It is just the members of this Association.

MR. KETCHAM: He was not a member of this Association then?

SECRETARY BATCHELOR: No.

MR. KETCHAM: He was a member of the local association.

TREASURER SALSURY: While we are on this subject of members who are now in the service of the United States and have been in the service and cannot be present, I believe it would be a fitting thing to suspend the payment of their dues during the time that they have been in the service and continue in the service, and also of any that may hereafter enter the service. Therefore, I move that the dues of the members in the service and hereafter entering the service be suspended during the period of the war. (Seconded by Mr. S. O. Pickens.)

PRESIDENT FOWLER: Gentlemen: You have heard the motion. Any remarks?

MR. W. A. KETCHAM: The motion states that the dues "be suspended," which means to hang over them. I think you had better say "remitted during the war."

TREASURER SALSURY: Yes; "remitted."

(The motion was put to vote and carried.)

PRESIDENT FOWLER: The next in order is the President's Address. Gentlemen of the Bar Association: My attention has been called to the subject discussed in this address by certain vicious and dangerous law violations that have been taking place in different parts of the country very recently, notably, the outbreak in East St. Louis, just one year ago, which was followed shortly afterwards by the outbreak in Chester, Pennsylvania, if you will remember, in which the sheriff was killed and some four or five other persons, and that outbreak followed by the lynching of Mr.

Frank Little, an attorney, at Butte, Montana, for alleged disrespectful and uncomplimentary language towards the President and the soldiers, all of which he stoutly denied, and denied up to the time that he was hung to a railroad trestle bridge just outside of the city, and that lynching soon followed by another lynching of the most disgraceful and reprehensible character at Collinsville, Illinois,—the most brutal assassination I ever read of: first drawn through the streets of that city barefooted until he was nearly dead, and then taken to a tree on the outskirts of the city and hung. I am in receipt of a letter from the policeman who made the arrest there and tried to protect him, hiding him in the basement of the courthouse. He says in this letter that the impression there is that he never used the language attributed to him, and that it was a most vicious transaction. The trouble grew up among the miners, and his opinion is, and the opinion of the people of Collinsville is, that it was a malicious transaction, rather than the language used by him with reference to the troubles that we are in.

Now, before delivering this address, I am in receipt of a letter here from a law firm in Fort Wayne. I do not know the firm, but I understand they are gentlemen of high character, Messrs. Emrick and Emrick. Probably some of you gentlemen know them. They enclose to me an anonymous letter that is a better preface to my address than I would be able to write, and I desire to submit it to the Association, as being entirely pertinent to the matter discussed. I will ask Mr. Salsbury to read this letter to the Association.

TREASURER SALSURY: The letter reads:

"I noticed in the Central Law Journal that on July 10,

1918, you are to deliver an address before the Indiana Bar Association on the subject, "What Shall Be Done With the Mob?" I am enclosing a copy of a letter received by a citizen of our county. If you desire any further facts in connection with it, I shall be glad to give the same to you.

Yours very truly,

(Signed) EMRICK & EMRICK."

PRESIDENT FOWLER: I have permission, gentlemen, from that law firm to use these letters in any way that I see fit. Now, I will ask Mr. Ketcham to read that anonymous letter.

MR. W. A. KETCHAM: This is dated Fort Wayne, Indiana, April 16, 1918, and reads as follows:

"Mr. John A. Genth,

Dear Sir:

"Word has come to this office by people in charge of the sale of GOVERNMENT BONDS of some remarks you made relative to same, and also simular remarks relating to our PRESIDENT.

"Now MR. Genth do you know what they done to the people down at Dulphus Ohio? They will do the same thing with you some night. YOU BUY A GOVERNMENT BOND. YOU BUY A GOVERNMENT BOND. If you dont you can look for a mob some night to take you out of your nice warm bed and strip you of your clothing and tar and fether you and ride you on a rail.

"You are another one of those German people over here in OUR country with farms, houses and barns, you can go to bed every night and sleep in a good warm bed get up the next morning and enjoy three good square meals every day, while our boys is over there fighting for you, and you re-

fuse to as much as buy a bond, NOT MUCH WILL YOU GET BY WITH IT. You buy a bond or you can look for your nice big barns to go up in flames, or your house get a stick of powder if not both.

"Do you think you can live here in this free country and enjoy all the favors that our boys would like to enjoy and not help or at least be willing to help what you can to win the war? Not much Mr. Genth. You buy a bond and show by the act that you are willing to help your bit or you can count yourself worse that dead. You can get this bond at your own bank or trust company or any where you like BUT YOU GET IT.

Respectfully,

BLACK HALK,
Ft. Wayne Division."

From reading the letter I would say that he had a "bad spell" about it, anyway.

PRESIDENT FOWLER: Gentlemen: I shall not be able to deliver this speech to you for the reason that my vision is very short. I have worn glasses all my life, since I was 12 or 15 years old, but my eyesight has been perfect until about a year or eighteen months ago, and since then it has been failing pretty rapidly, and I will not be able to deliver this address on account of that. I am informed by opticians that I cannot and never will be able to get glasses with which I can read, and I presume that is a fact, owing to some peculiarity in the construction of my eyes, but by your permission, gentlemen, this address will be read to you by my daughter, Mrs. Smith.

(For President's Address see page 87.)

PRESIDENT FOWLER: Is the Legislative Committee now ready to report?

MR. W. A. PICKENS: No meeting of this committee has been held for the simple reason that there has been no legislature in session and nothing has been considered by the committee to be submitted to the legislature that may sit before the next meeting of this Association. Now, we have had some matters heretofore before the legislature, but nothing has been brought to the attention of the committee at this time. It may be, before the session closes, that something will be suggested, and if so, I shall report it at a later hour.

SECRETARY BATCHELOR: This Association has had before the legislature a bill for the incorporation of corporations, a bill which was approved by this Association, which was worked on by this Association for two or three years, was presented to the last General Assembly and did not get through, and I, for one, think that that measure ought to be pushed again at this session, and I move that the Legislative Committee be instructed to re-introduce that bill in the next legislature and push it. (Seconded by Mr. W. A. Pickens.)

MR. CHARLES MARTINDALE: I offer as a substitute for that motion that that bill be referred to the Committee on Legislation of this Association for further consideration. That bill has some history. When that draft was first presented to this Association it provoked a very considerable discussion. There was not sufficient time for its ample and careful consideration. I have read and studied that bill carefully. There are some provisions of it which in my judgment are unwise. I do not believe that those here pres-

ent now know what is contained in the bill. I think that it ought to go back to the Committee on Legislation for further consideration, and that the membership of this Bar Association ought to know what is in it before they further endorse it. The endorsement which the bill has was not the endorsement of the full Bar Association. It was referred to a committee and it received the endorsement of the majority of that committee. That is my present recollection, but it is certain, to my recollection, that the bill as drawn and prepared was not before the Association, and that no vote of the Association endorsed the bill. I move the substitute, if I can get a second. (Seconded.)

MR. W. A. PICKENS: Mr. Martindale is considerably mistaken in some of his statements. The bill was considered at length by the Association on two separate days. It was read section by section and adopted section by section by the Association, and the Association wanted some modifications made. It was then referred to the Committee on Legislation with directions to make those modifications. The committee made those modifications and submitted it to the legislature. The matter was brought up before the next meeting of the Association and it received the endorsement of the next meeting of the Association, and the Legislative Committee, of which Mr. Martindale was the chairman, was directed to present it to the legislature and do everything they could to secure its passage, and Mr. Martindale did not even present it, or his committee made no effort to put it through. Now, that is the situation about this bill. It has been before the Association two sessions; been endorsed by the Association,—not by the committee, but by the Association,—two different sessions, and has been presented to the legislature twice. It went to the leg-

islature in spite of the fact that Mr. Martindale, as chairman of the Legislative Committee, did not pursue the instructions that had been given him by the Association. But by reason of Prohibition, Woman Suffrage and various other matters, it got scant attention in the last legislature. I don't care anything about what action the Association may take, as to whether or not it will endorse the bill and direct the future Legislative Committee to present it again, but I want the Association and those members present to understand just exactly what the Association has heretofore done.

JUDGE PLINY W. BARTHOLOMEW: I simply want to say this. There was a division in the Association over the incorporation articles as presented and many of us were not satisfied with several of the provisions, and I believe it would be only fair to this Association before the committee is instructed to present it to the next legislature to let this Association pass on this bill. The legislature will meet next January, and I believe that some of us may change our minds or will change our minds on some of the provisions as they are in the bill, and my prediction is, if presented as it is now, it will not be passed by the next General Assembly. So, I move as a substitute, if I can get a second, that the committee report to this Association at a convenient hour the incorporation bill as presented.

PRESIDENT FOWLER: You mean that as a substitute for the motion and the amendment?

JUDGE BARTHOLOMEW: Yes sir.

MR. MARTINDALE: Mr. Chairman: The bill you are referring to here was before this Association, and as I said

before it provoked a great deal of discussion. It went to the committee. That committee by a majority endorsed it, and this Association never voted upon that bill as it was changed, because it was not reported back to this Bar Association by the committee at any time. It was presented by the then Legislative Committee to the General Assembly and it failed of passage. In the year in which I had the honor to be chosen as chairman of the Legislative Committee this Association took no action instructing that committee in that year to again present that bill which had died in the legislature preceding to the next legislature, and therefore the committee at that time took no action upon it, because that committee was under no instructions from this Association. That is the reason why that committee didn't act. It had no mandate to act.

Now, this bill contains this, for one thing. It makes the by-laws of every corporation a part of the article of incorporation, and you cannot amend the by-laws and domestic regulations of a corporation under that proposed bill, if it should become an act, without amending your articles of incorporation. I think that that is too rigid and cast-iron a rule for the successful management of corporations. Now, I refer to that as only one of the defects which I consider are in that bill. I do not believe that that bill is complete. It is not sufficient for the incorporation law of the state of Indiana, and therefore I think that it ought to have further consideration, and that the subject is too important; involves interests so vast in the state of Indiana; involves the domestic happiness and economy of the state of Indiana, that it ought not to be lightly passed by the Bar Association.

MR. LEWIS A. COLEMAN: I wish to approve the remarks of Mr. Martindale. I was not present at the Bar Associa-

tion meetings when that bill was discussed, but on the invitation of the chairman of the Corporation Committee, I did appear before the House Committee and Senate Committee on two different occasions and pointed out what I thought were a number of very serious defects, among others, that which Mr. Martindale speaks of. In addition to that, there are a number of others, which would take this state backward instead of putting it forward, and the bill, if enacted into law will drive hundreds of corporations from Indiana, and those that would incorporate will go elsewhere. The bill is a backward step and not a forward step, and therefore I want to second Mr. Martindale's suggestion that the bill again be referred to the committee and not approved by this organization as it stands.

JUDGE BARTHOLOMEW: That is my substitute motion. My substitute is in place of the motion suggested that we have the committee report back the bill to this Association.

MR. MARTINDALE: Do you mean at this session?

JUDGE BARTHOLOMEW: Yes, sir.

MR. W. A. PICKENS: I am perfectly amazed at Mr. Martindale's interpretation of the action on that bill, and I am perfectly amazed to see Mr. Coleman stand up here and say that he was not at the meeting, while the published report of that meeting gives the remarks that Mr. Coleman made on this bill, and he started it,—advocated its adoption by that session of the Association. Now, in view of the fact that there appears to be so much misunderstanding,—I was about to say ignorance,—of that bill, by men who were present in that meeting and took part in that discussion, it would be utterly impossible for this meeting to arrive at any

intelligent conclusion on that bill in the time we have. We put in part of two days on it before, and men who were there and took part in that discussion seem to have forgotten all about it now, and I don't think we ought to take it up and take any action on it at all here. I don't want to cut Mr. Batchelor's motion off.

SECRETARY BATCHELOR: I made my motion in view of the fact that the bill had received the endorsement of this Association on two separate occasions; in 1914 when it was discussed and then referred to the committee for finishing touches, and reported to the General Assembly in 1915. The bill failed of passage. That fact was reported back to this Association at the 1915 meeting, and the Legislative Committee was at that meeting in 1915 definitely and positively instructed—

MR. PICKENS: (Interrupting.) That was Mr. Martindale's committee?

SECRETARY BATCHELOR: Mr. Martindale's committee,—definitely and positively instructed to present that bill to the meeting of the 1917 General Assembly of the state of Indiana.

MR. MARTINDALE: Why didn't you so inform the committee, if that was the case?

SECRETARY BATCHELOR: The Secretary has in his files a letter written to Mr. Charles Martindale giving a copy of the resolution of the 1915 meeting. In view of the situation as it now exists, I will withdraw the motion to instruct the committee, with the consent of the seconder.

MR. PICKENS: I will consent.

MR. W. A. KETCHAM: It seems to me, Mr. President, that there is a great deal of misinformation floating about, and if there is to be any action taken directing the Legislative Committee to proceed, or any thing further with reference to this matter, I think that there ought to be a special committee appointed to report at 4 o'clock this afternoon what the facts are. There doesn't seem to be any agreement on the facts at all, and I, for one, want to know what the facts are, and not simply what the secretary or Mr. Pickens or Mr. Martindale or Mr. Coleman thinks they are. I want to know what they are if I am asked to take any action on it. If there is no action to be taken, I have nothing to say, but if there is action to be taken, I want the committee to report this afternoon before we take any action.

MR. SAMUEL PARKER: I move to lay Mr. Batchelor's motion and all amendments and substitutes on the table. (Seconded and carried.)

PRESIDENT FOWLER: Is the Grievance Committee ready to report?

MR. WM. P. KAPPES: The Grievance Committee has had very little business before it,—some four complaints of various characters. The Grievance Committee has not had a regular meeting. A meeting has been called for 1 o'clock today, and if there is a sufficient number of the committee present, some action may be taken. No action has been taken up to this time.

At 12:00 o'clock noon, the convention took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

WEDNESDAY, July 10, 1918.

The meeting reconvened at 2:00 o'clock p. m., President Fowler in the chair.

PRESIDENT FOWLER: I understand that the Committee on Jurisprudence and Law Reform is now ready to make a report, and I will call on Mr. Jewett.

COL. CHAS. L. JEWETT: Mr. President: I understand that a report is asked for from the Committee on Jurisprudence and Law Reform, and I am sorry to say that my information is that I am the only member of that committee present. Before I present the report or speak about it, may I ask the indulgence of the Association to say a word, or rather as a matter of privilege?

PRESIDENT FOWLER: If no objection, it may be taken by consent.

COL. JEWETT: The president of the American Bar Association wrote me that he would like for me to get a place on the program of our next Bar Association meeting and talk about the American Bar Association, but I could not do that. I intended to ask George Batchelor to place me on it, but he and Charley Miller beat me up, man-handled me before the Supreme Court and inflicted all kinds of bodily violence on me three or four weeks ago, and I would not ask him for anything. I do say, however, this much. I am going to send away in this mail the application of Mr. Davis of Gary, duly signed by my colleagues. I am vice-president for Indiana of the Association. I was nominated at a meeting in which Ketcham nominated me and Dan Fraser voted for

me, and Sam Parker and Bill Pickens being the only other members there, of course, with Ketcham and Parker and myself, we formed a majority, and so I was elected. Now, I have but one application signed. They sent me many blank applications. But, in all seriousness, I know many of you belong to the American Bar Association; you know what it is. A membership in it is a fine thing and the fee is very small. The publication issued by the Association, I think any member will agree with me, is worth more than the fee,—that is, the magazine. Don't you think so?

MR. W. A. KETCHAM: Yes.

COL. JEWETT: Worth more than the fee to any lawyer, and I should like to see a larger representation. I have brought with me the blanks. I have but one application so far, and that is Mr. Davis, and that goes forward in this mail. If any gentleman cares to join, he don't have to even make out any application. All you have to do is to give me your name, and we do not collect the fee at this time. Capt. Ketcham is rather an austere man. You will have to be pretty good if he certifies to you, and that is all, and you can go to Cleveland on the 26th day of August and spend some happy days with those people. It is nearby. It is a wonderful gathering of very fine men, and it represents the finest aspirations of the most noble body of men in the United States. I don't want you to ever forget this, that when the war broke out everybody was either appointed to office or his wages raised or his salary increased, or his exemptions were built up and secured. I have a tenant in Washington who don't pay me half enough rent for a house and Congress passed a law that I could not put him out,—so everybody is taken care of. But the Bar of the United States received

the highest compliment any body of Americans has ever received, because to that body was committed and is now entrusted the most important duties that come in the various communities, and from the President down everybody knew that we would work for nothing and board ourselves.

Now, I brought a few of these blanks along, and during the afternoon and evening a movement back there, (indicating hip pocket) will not mean anything that will authorize you to draw. Of course, in Kentucky, that is self-defense.

Now, as to the report, Mr. President, in presenting this report, I want to say that I regret that it is not more complete. I regret that the language used is not more ornate and poetical. In other words, I regret the many imperfections of this report, and in self-defense I want to say that I have been a very busy man. We all are. Don't you remember how many of us did not run for office after we tried to get nominated because all our friends insisted? We cannot give up our practice,—that is, if the precincts are not going right. Many a man I know right here has concluded after he ran a while that he was bound to go back to his practice—felt that his duty to his family required that he stick to his practice. Well, I have had all this, except that I haven't had any family, but the game is young yet. I hear someone remark that the player is getting old. Yes, I am getting old, but a man with a steady income can sometimes acquire a ready-made family. I had all those things to prevent me giving more attention to this report. It is a very poor and weak thing. Incidentally, I never saw it until it was just handed to me a few moments ago. Gentlemen, I submit the report of the Committee on Jurisprudence and Law Reform.

MR. W. A. KETCHAM: I think perhaps it would not be out of place for me to supplement a little what has been said and so well said by Col. Jewett, that if any member of this Association has any doubt about the character and standing of the American Bar Association, if they will borrow the report of the last proceedings of the American Bar Association held at Saratoga and read the addresses of Senator Sutherland, Mr. Justice Hughes and Senator Harvey, they will appreciate that to belong to an Association that can bring out such magnificent patriotic addresses as were put forth at Saratoga is a privilege that he ought not to deny himself. The week before that I had spent at Boston in attendance upon the National Encampment of the Grand Army of the Republic, which, as you all know, is pretty close to my heart, and which I think is the most patriotic body in the United States, and we heard there some splendid addresses, but when I went the week after that to Saratoga and listened to the magnificent addresses that were delivered at the American Bar Association, I said that the Grand Army of the Republic would temporarily take a back seat. Its membership costs six dollars a year only, and that includes the quarterly magazine which is replete with valuable and desirable information. The magazine itself, even if you don't want to go to Cleveland, is a sufficient reward for belonging to the Association, but if you have time in the latter part of August to go to Cleveland and attend the meeting of the American Bar Association, you will see there the very foremost men in the United States, and you will meet them personally and hear from them, and you will go away from the meeting thanking God you had an opportunity to be there.

COL. JEWETT: I think I feel justified in putting my goods out now on that statement.

SECRETARY BATCHELOR: Col Jewett, are you going to read your report?

COL. JEWETT: I would prefer that you read it. I am not familiar with the handwriting of the gentleman that got it up.

SECRETARY BATCHELOR: The report contains a very detailed list of fees.

COL. JEWETT: We want to hear them. That is probably more money that we will hear about in any other way.

Secretary Batchelor then read the report of the Committee on Jurisprudence and Law Reform, as follows:

INDIANAPOLIS, July 10, 1918.

Mr. President:

Your Committee on Jurisprudence and Law Reform begs leave to make the following report:

CHARLES L. JEWETT, *Member.*

FEE SCHEDULE OF INDIANA STATE BAR.

It is assumed that each member of the Association will give prompt, faithful and intelligent attention to legal business entrusted to him, and as compensation for his services will be entitled to not less than the fee specified in the following schedule:

Note: In the following schedule counties of less than 30,000 population shall be considered in first class; counties of 30,000 to 50,000 in the second class; and all others in the third class.

PROCEEDINGS

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	1st Class Counties	2d Class Counties	3rd Class Counties
United States Circuit Court of Appeals.			
Appearance and brief, at least.....	\$50.00	\$75.00	\$100.00
Per diem, at least.....	50.00	50.00	50.00
United States District Court.			
Appearance and brief, at least.....	35.00	50.00	75.00
Per diem, at least.....	35.00	40.00	50.00
In Bankruptcy Matters.			
Where no assets above exemption and no contest, at least.....	50.00	55.00	60.00
Where contest, or where there are assets above exemption (fee fixed by court)	75.00	100.00	125.00
Filing claim with the referee.			
If collection is made, add collec- tion fee.			
Appearance before referee in support of petition, motion or rule and order thereon, and the time spent in prepara- tion, whether the matter be contested, or uncontested, same fee as near as may be as the probate court matter.			
Appearance before referee at cred- itor's meeting by direction of client, and actively participating in the pro- ceedings, same per diem as in United States District Court.			
State courts.			
Supreme Court of Indiana, direct appeal, at least	100.00	125.00	200.00
Appellate Court of Indiana, ap- pearance and brief, at least.....	75.00	100.00	150.00
Appellate and Supreme Courts, through both, at least.....	150.00	200.00	300.00
Circuit or Superior Courts.			
Retainer, at least	25.00	35.00	50.00
Trial per diem, at least	25.00	35.00	50.00

All cases of partition and foreclosures
and all other cases where there is
a sale of real estate at least in any

case	40.00	50.00	75.00
Excess of \$500 to \$2,000, add	6%	6%	6%
Excess of \$2,000 to \$5,000, add.....	4%	4%	5%
Excess of \$5,000 to \$15,000, add.....	3%	3%	4%
Excess of \$15,000 to \$30,000, add.....	2½%	2½%	3%
Excess of \$30,000 to \$50,000, add.....	1½%	1½%	2%
Excess over \$50,000, add.....	1%	1%	1%
Foreclosure of chattel mortgage, statu- tory or common-law lien on per- sonal property, at least.....	20.00	25.00	50.00
Creditor's bill, at least.....	50.00	65.00	75.00
Complaint to dissolve partnership and for accounting, at least.....	50.00	65.00	100.00
Complaint for accounting, at least.....	50.00	.....	100.00
Injunction (when not auxiliary), at least	50.00	.....	100.00
Injunction (when auxiliary) except in divorce cases, at least.....	25.00	.....	100.00
Divorce or separate maintenance, de- fault, at least	25.00	35.00	50.00
Same with Injunction, default, at least	35.00	50.00	75.00
Divorce or separate maintenance, with contest, at least.....	50.00	65.00	100.00
(Add per diem no more than 1 day)			
Complaint in all other cases, at least..	25.00	25.00	35.00
Appearance and answer or plea, at least	25.00	35.00	50.00
Answer of guardian add item, at least..	10.00	15.00	20.00
Drawing special demurrer, at least.....	10.00	15.00	20.00
Drawing pleas, at least.....	10.00	15.00	20.00
Drawing petition, affidavit and notice, at least	10.00	15.00	20.00
Preparing and arguing exceptions, mo- tions or demurrers, at least.....	15.00	20.00	25.00

Preparing and arguing exceptions, motions or demurrers which decide the cast, at least.....	25.00	35.00	50.00
Attendance before master, per day, at least	20.00	25.00	35.00
Drawing interlocutory decree, at least..	15.00	15.00	20.00
Drawing final decree, at least.....	20.00	25.00	30.00
Drawing exceptions or objections to master's report, at least.....	15.00	20.00	25.00
Attendance at master's sale, per day, at least	15.00	20.00	25.00
Drawing complaints on notes or accounts, at least	15.00	20.00	35.00
Appeal from justices, at least.....	10.00	15.00	25.00
Affidavit and bond in attachment or replevin, at least	10.00	15.00	20.00
Preparing bill of exceptions or certificate of evidence, at least.....	25.00	35.00	50.00
Judgment by confession on power of attorney, at least	15.00	20.00	25.00
If collection is made, add collection fees.			
Obtaining judgment by default on notes or accounts, at least.....	15.00	20.00	25.00
Scire facias, to revive judgment, same as obtaining judgment.			
Defense in case of felonies in addition to per diem, at least.....	35.00	50.00	75.00
Defense in cases of misdemeanors in addition to per diem, at least.....	25.00	30.00	35.00
Recognizance to keep peace, at least....	10.00	15.00	20.00
Petition for discharge as pauper criminal, gratis or at least.....	15.00	20.00	25.00
Adoption proceedings, at least.....	25.00	25.00	35.00
Contingent fees, all expense to be paid by client, not to be less than a sum equal to 25% of the gross amount recovered.			

PROBATE COURTS.

	1st Class Counties	2d Class Counties	3rd Class Counties
Drawing petition and attendance probating will (no contest), at least..	\$20.00	\$25.00	\$30.00
Same, when contested, at least.....	35.00	35.00	50.00
Contesting probate of will, at least.....	25.00	35.00	50.00
Drawing petition and obtaining letters of administration or guardianship, at least	10.00	15.00	35.00
Drawing inventory, at least.....	10.00	10.00	15.00
Drawing and presenting report other than final, at least.....	10.00	10.00	15.00
Drawing final report and obtaining discharge, at least	10.00	15.00	25.00
Proving or contesting heirship, at least	10.00	10.00	15.00
Drawing petition for sale of real estate and proceedings relative thereto, at least	25.00	35.00	50.00
In case property sold brings more than \$500, add additional fees as provided in cases of partition and foreclosure in the circuit court.			
Attendance at sale of real estate or personal property, at least.....	10.00	15.00	25.00
Petition and order for sale of personal property, at least	10.00	15.00	25.00
Drawing report of sale of personal property and order approving same, at least.....	5.00	10.00	15.00
Citation to discover assets, at least.....	10.00	15.00	25.00
Trial of citation to discover assets, at least	15.00	25.00	35.00
Drawing exceptions or objections to report, inventory or appraisalment bill, at least	10.00	15.00	20.00

PROCEEDINGS

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Minimum guardian ad item, fee at least	10.00	10.00	15.00
Where no will and estate is simple, entire proceedings, at least.....	35.00	40.00	75.00
Where a will and estate is simple, entire proceedings, at least.....	50.00	65.00	100.00
All other fees in the probate court, including per diem for trial shall be the same as it is provided for the circuit court so far as the same are applicable.			

SPECIAL PROCEEDINGS.

Quo warranto, mandamus or writ of prohibition, at least.....	\$50.00	\$65.00	\$125.00
Ne exeat, at least	50.00	65.00	125.00
Habeas corpus, at least.....	50.00	65.00	100.00
Certiorari (only in lower courts), at least	25.00	35.00	50.00
Bastardy proceedings, as special attorney for state no defense, at least..	25.00	35.00	50.00
Bastardy proceedings, defending, at least	35.00	50.00	75.00
Proceedings for capias ad respondendum or ad satisfaction, at least.....	35.00	50.00	75.00

JUSTICE COURTS.

	1st Class Counties	2d Class Counties	3rd Class Counties
Trial in city, village, or township where attorney resides or has an office, in civil cases, at least.....	\$10.00	\$10.00	\$15.00
Criminal examination and bastardy cases, at least	15.00	20.00	25.00
Outside of city, village or township, in which the attorney resides or has an office, add to each of the above..	10.00	15.00	15.00

ROAD CASES.

	1st Class Counties	2d Class Counties	3rd Class Counties
Petition and notices, at least.....	\$35.00	\$50.00	\$65.00
Trial before commissioners, per day, at least	25.00	35.00	50.00
Legal services before boards, commit- tees, etc..			
Appearance and argument, before city council or any of its committees, or before any board or officer of the city, at least.....	15.00	25.00	35.00
Same before board of supervisors or county commissioners or before any county board, committee or officer, per day, at least.....	15.00	25.00	35.00
Same before general assembly or any of its committees or any board, de- partment or officer of the state, per day, at least.....	35.00	45.00	50.00
In addition to the above, in matters before the board of review, 10% of the net amount saved in taxes by reason of reduction in assessment.			
Appearance before the State Public State Utilities Commission, at least	35.00	50.00	50.00
Appearance and argument before State Public Utilities Commission, per day, at least	25.00	35.00	50.00
Arbitrators, per day, at least.....	25.00	35.00	50.00
Outside of the city, village, or county in which the attorney resides or has an office, add to each of the above	10.00	10.00	25 to 50%

MISCELLANEOUS.

	1st Class Counties	2d Class Counties	3rd Class Counties
Drawing will or codicil in its simplest form, at least	\$5.00	\$7.50	\$10.00
Drawing deed and taking acknowledgment, at least	1.50	2.00	3.00
Drawing mortgage and notes, at least..	2.50	5.00	5.00
Drawing leases, articles of agreement, or bond for deed (in duplicate), at least	2.50	5.00	7.50
Legal advice without consultation of authorities, at least	3.00	5.00	10.00
Time necessarily devoted to briefing question of law or fact, as the basis of legal advice or opinion, per diem, at least.....	25.00	35.00	50.00
Attendance taking, deposition inside county, per day, at least.....	25.00	35.00	50.00
Same outside county, per day, at least..	35.00	45.00	75.00
Drawing articles and procuring license to incorporate and charter, at least	25.00	35.00	50.00
Drawing by-laws and completing organization, at least	25.00	35.00	50.00
Procuring incorporation of city, village, or town, at least.....	75.00	100.00	200.00

COLLECTIONS.

Collections without suit.

Fifteen per cent. on the first \$300.00.

Ten per cent. on the excess of \$300.00 to \$1,000.00.

Five per cent. on the excess of \$1,000.00.

Minimum fee of \$5.00.

On all collections of \$10.00 or less fee of fifty per cent.

Division of one-third to forwarder.

To the foregoing percentage should be added the proper fee for legal services in the courts, if suit is brought.

Claims collected by repeated duns, demands or notices or installments should be made a matter of special contract at not less than the above rates.

On all business forwarded by one attorney to another, one-third of the fee to forwarder and two-thirds to receiver.

EXAMINATION OF ABSTRACTS.

This schedule represents minimum fees only, and shall not be construed as interfering with contracts for fees in excess of the following schedule, where conditions justify:

1. Where the amount involved is \$500.00 or less, a minimum fee of \$5.00.
2. Where the amount involved is \$500.00 to \$2,000.00, a minimum fee of \$10.00.
3. Where the amount involved is \$2,000.00 to \$5,000.00, a minimum fee of one-half of one per cent. of the amount involved.
4. Where the amount involved is more than \$5,000.00 a minimum fee of \$25.00, plus one-fourth of one per cent. of the amount in excess of \$5,000.00.
5. Where the examination is for a mortgage loan, and the mortgagee requires only an office examination of the abstract, not involving the investigation of any of the records referred to in such abstracts, a minimum fee of \$10.00 except where the amount of the mortgage loan is \$500.00 or less as above provided.

Note—The words "amount involved" used above refer to the amount of the loan where the examination is for a mortgage loan, and to the value of the property where the examination is for a transfer of title.

The words "per day" used hereinabove shall mean a professional day of six hours. Portions of a day should be charged pro rata and not as a full day.

The fees specified in all cases are in addition to actual and necessary expenses incurred by the attorney or authorized by the client.

The foregoing schedule should not be regarded as fixing the amount of the fee to be charged in any given case, but rather as a suggestion of the consensus of opinion as to the minimum amount to which a

lawyer would be justly entitled for the proper performance of the services mentioned.

Members of the Association should be governed by the Canons of Professional Ethics adopted by the Indiana State Bar Association.

MR. W. A. KETCHAM: By whom is that report signed?

SECRETARY BATCHELOR: It has no signature.

MR. KETCHAM: I move that it be handed back to the committee. We do not want an unsigned report to come from a standing committee.

MR. SAMUEL PARKER: I move that the report be laid on the table. (Seconded.)

MR. KETCHAM: Will you listen to this and see if it will not take the place of your motion? I move that the report be filed with the secretary of the Association, and that the Association as such take no further action in the premises.

MR. PARKER: I will withdraw my motion and second Mr. Ketcham's motion.

(The motion was put to vote and carried unanimously.)

PRESIDENT FOWLER: Has the Committee on Membership any further report to make?

Treasurer Salsbury, chairman of Committee on Membership, submitted the following report:

INDIANAPOLIS, July 10, 1918.

Mr. President, and Members

Your Committee on Membership recommends that the following members of the Association be elected as life members of the Association, to-wit:

Hon. Inman H. Fowler, of Spencer.
Hon. Milton Bell, of Kokomo.
Hon. Edwin P. Hammond, of Lafayette.
Hon. Stewart T. McConnell, of Logansport.
Hon. William S. Shirley, of Martinsville.
Hon. Vinson Carter, of Indianapolis.
Hon. Leander J. Monks, of Indianapolis.
Hon. William Watson Woollen, of Indianapolis.
Hon. Robert W. McBride, of Indianapolis.
Hon. Michael J. Clancy, of Bluefields, Nicaragua.

ELIAS D. SALSBUURY, *Chairman*,
GEO. H. BATCHELOR,
SAMUEL J. OFFUTT,
LAWRENCE B. DAVIS,
DANIEL H. ORTMAYER.

TREASURER SALSBUURY: I would say, as a number of you know, Mr. Michael J Clancy has been in Bluefields, Nicaragua, for the past fifteen or sixteen years, and he is a charter member of this Association.

JUDGE BARTHOLOMEW: Mr. President, I move that the recommendation of the committee be adopted. (Seconded.)

SECRETARY BATCHELOR: You have heard the recommendation of the committee and the motion to adopt. Any remarks?

MR. SAMUEL PARKER: It seems to me the report as it reads is incomplete. Isn't it the purpose to relieve them from the payment of dues?

TREASURER SALSBUURY: That is what your by-laws provide.

SECRETARY BATCHELOR: The by-laws provide that a life-member shall not pay dues.

JUDGE FRANK, E. GAVIN: I would just like to inquire why this action should be taken. I have listened to the list of names of members. They are very excellent lawyers, very fine men, and they have been very loyal members of this Association, but as I got the list as it went along, most of them whom I know are men prosperous and well-to-do, and what particular reason is there for relieving them from the payment of dues that they are abundantly able to pay? While these are very excellent men and fine lawyers, as I recall them, yet they are not the only ones in the Bar Association. I can look around here and see before me a good many men that I should think are their equals in most respects at least, and I very much question the wisdom of starting a thing of this kind.

SECRETARY BATCHELOR: Judge Gavin, that recommendation is a matter entirely in the hands of the Membership Committee and I will leave it to the Chairman of the Committee to answer your question.

JUDGE GAVIN: I should like to know just why it should be done.

MR. KETCHAM: I am happy to know that I am on the inside of the dead-line and I hope to remain inside of the dead-line for many and many a day and attend many, many meetings of this Association. But, answering the inquiry, it seems to me when we consider the length of time that Mr. Fowler, Mr. Bell, Judge Hammond, Mr. McConnell, Mr. Shirley, Judge Carter, Judge Monks, Judge Woollen, Judge McBride, and Mr. Clancy—I assume, for I know nothing

about him—have graced the bar of the State of Indiana, I think it is an exceedingly courteous, proper and just thing for this Association to say to men when they have honored us, their associates, and this Association, as long as they have, that we will give to them this meed of respect and regard. It will mean little to this Association, but it will mean a whole lot to the men whose lives have been devoted to the practice of law or to high position on the bench that they have graced—to them and to their families, and I hope that without objection or without exception and without a single opposing vote that this report, which seems to be the unanimous report of the Committee on Membership, shall be accepted by this Association, and I think if we do that we will not only honor those men that have been named, but we will honor ourselves in doing it. I trust that there may be no opposition whatever to it.

TREASURER SALSBUURY: Gentlemen: The members named—if my memory serves me right, and my memory runs back several years, being one of the older members—these gentlemen were born in 1834, '38, '42, '35, '35, '35, '36 and '40, except Mr. Clancy, who is only 70 years old. The others are all past 75. My idea is and it has been the idea of the Committee that we could well afford to honor these members for the short time that may be left. I am sure we would all be glad to honor Mr. Ketcham if he had arrived at the age, or any other member of the Association.

MR. KETCHAM: He is not anxious to arrive at that age.

TREASURER SALSBUURY: Neither am I, but I am rapidly approaching it, and it is upon these grounds, thinking it was better to do some little thing for our brothers while among us than after they had joined the great majority.

JUDGE BARTHOLOMEW: I made the motion to adopt this report. I want to say to Mr. Ketcham that I am on the "live line" too. I am only seventy-seven. I want to second what Mr. Ketcham says in reference to these men. What a wonderful history we have in the names that were read—men who have not only been loyal soldiers in the American army, but men who have been loyal to the tenets of the bar, men who stood at the head and have been the best practitioners of our whole state. Now, we certainly cannot lose anything by the honor that we may confer upon these men. It will do us more good than it does them in many ways.

MR. J. M. OGDEN: I would like to hear the reading of the by-laws on Life Members, as to just what it means.

SECRETARY BATCHELOR: Section XVI of the By-Laws reads as follows:

"Life Members: Any member of this Association in good standing may for good cause, by vote of the Association, upon the recommendation of the Membership Committee, at any annual meeting, be continued as a life member of the Association without the payment of dues."

MR. OGDEN: What is the "good cause" in this case?

MR. KETCHAM: The report of the committee.

JUDGE GAVIN: I do not by any means desire to seem ungracious about this proposition, nor would I desire that anything I say be misconstrued as being an objection to any of these gentlemen, all of whom I count to be among my warm personal friends. I did not know the basis for the selection until it has been stated, and it is now somewhat

vague in my mind. If we are to choose and elect as life members every man who carried a musket in the war of 1861, I am with you heart and soul. If we are to adopt the principle that we will elect as life members all those members of our bar who are members of our Association who have reached the age of 75 or of 80, as a testimony to the honor with which they have borne their lives, I am still with you; I am perfectly willing and would say yea, without a question; but I am frank to say it just struck me on the principle of it; that it was not a wise thing to start in and select out members of our Association who have honored the Association and who have been honored by it as well—simply select out from the membership a few of those from time to time for this honor. In my own mind it seemed to me it was not a good rule to get established for the future of the Association, and that was the only purpose of my asking the question I did, was to get the information, and I am frank to say that so far as it occurs to me individually in the light of the information, I personally regard this as a needless honor, and as it seems to me, an unwise precedent to establish. These men have been honored; they know they are honored, and they don't need an action of this kind to make them know that they are honored by the members of the Bar Association of the State.

(The motion was put to vote by Secretary Batchelor, acting as Chairman pro tem., and carried.)

PRESIDENT FOWLER: The next thing on the program will be a paper by Mr. Charles Martindale of Indianapolis, entitled "Americanism and War."

(For Mr. Martindale's address see page 114.)

MR. W. A. KETCHAM: Before the author of the paper gets beyond reach, in view of the elaborate encomium upon Lord Roberts and the Marquis of Salisbury, which the paper justly gives, I would like to inquire if it was the same Marquis of Salisbury, then the Earl of Salisbury, that abandoned to Germany, Helgoland, that is now such a thorn in the side of Great Britain?

MR. MARTINDALE: I think it is true.

PRESIDENT FOWLER: The next paper on the program is "The Movement for Uniform State Legislation" by Judge Lex J. Kirkpatrick. It has been requested that we take a short recess at this time, and if there is no objection we will do so.

(A recess of ten minutes was taken, at the expiration of which time the meeting was again called to order.)

MR. W. A. KETCHAM: Mr. President, I do not always go off half-cocked. Sometimes I do, but not always. I went off that way, to my regret, this afternoon, and I want to move to reconsider the vote by which we accepted and placed on file a so-called report from the Committee on Jurisprudence and Law Reform, if I can get a second, and if so I would like to explain my reasons.

(The motion was seconded.)

MR. KETCHAM: There was brought to this Association today a paper. It was brought here by an honored ex-President of this Association, which itself would give character to the paper, but when we came to look at the paper we found that it had not the scratch of a pen in the way of a signature to it. We have a Committee on Jurispru-

dence and Law Reform that consists, I think, of seven honored members of this Association. The Committee consists of a Senator from Bedford, a Supreme Justice, a lawyer from Fort Wayne, an eminent lawyer from Richmond, a past Judge Advocate General and colonel in the Army, and a leading lawyer in Southern Indiana, a leading lawyer in the northwestern part of the State and an ex-judge and leading lawyer of the Marion County bar, all of whom, as we know, are able at least to write their names. Now, so far as I am concerned, when this Association adjourns, I don't want to have it said in the papers that we met here and among other things, while the country is engaged in war and all of our energies are devoted in that direction, as witness the papers we have listened to with so much pleasure—to have it go out that we were here trying to arrange what should be a matter of fee charges. It would not look well in the papers. It would not redound to the credit of the Indiana Bar Association, and so I want, if this motion to reconsider can be sustained, to follow it up with a motion that the paper itself be returned to the Committee on Jurisprudence and Law Reform, so that they may, if they feel so advised and desire, to properly present to this Association a report on any subject, that it may be accepted, and in that connection to move that no mention be made of the paper in connection with the proceedings of the twenty-second meeting of the Indiana Bar Association. That is all I want to say.

COLONEL CHARLES L. JEWETT: I just wanted to say to Mr. Salsbury, will he please put my name there. I expected him to do that. I did not know he had not put it there. It is like this. He brought this report, and I think I made myself clear. I was writing a letter to a very rich widow

I have pursued a long while, and I said, "Salsbury, am I on that committee? Is the report all right?" He said it was and that there was no other member of the committee here. I don't know whether he was right about that, but I said, "Put the proper heading on it and I will present it," and I intended by that that he should put my name to it, and I will ask that my name be put there. I don't understand Captain Ketcham, now that we have got old and Captain Ketcham has got rich, and it seems to me that his language about this is unwarranted. I want to tell you that, especially in the smaller county seats of Indiana, ever since I can recollect, the treatment of the legal profession with reference to compensation has been absurd and outrageous. Take even a community like Benton County. Go up to Fowler. There is not a man can come into that town and go to the poorest doctor in town and have his pulse felt that won't be charged for it and pay it. He can come into Dan Fraser's office and say, "Dan, suppose a certain man would do a certain thing to you," and state a case and Dan tells the fellow what he wants to know, and he goes off and don't pay him a cent. Hasn't that been the experience of all of you? I say we ought to have a fee bill. I am not particularly interested in it, because I don't work at the trade, but the legal profession has been losing out in its opportunities steadily for the last twenty years. The law business has been restricted and curtailed in many ways. Opportunities for large compensation are greater than they ever were, but such opportunities come to few men and rarely to any one, and the lawyers of Indiana ought to have a fee bill. As to keeping it out of the papers I would put it in the papers. That is where you want it. It is nothing to be ashamed of to assert your rights. You ought to charge

people for advice. You are expected offhand, on the spur of the moment to give correct advice about what may be a very abstruse subject. Now, they adopted one about a month ago in New Albany. I was called to the meeting, but I said I would not belong to the Association because I differed as to the ethics of one of the charges. I am not very strong for the proposition when a fellow gets his right hand taken off, for him to get seventeen hundred dollars and the lawyer who dictates a page of paper get the other seventeen hundred dollars, so I said, "I won't belong to anything that charges a minimum fee of forty per cent. in a personal injury case, but as to the other things I heartily approve." That has been in effect in New Albany over a month, and the lawyers all tell me they get a nice little increase to their business by way of office fees, by adhering to this schedule. It is printed and hung on the wall and they say to a client: "I have obligated myself to charge that, and I have to charge that," and they have to pay it. Now, what is the objection to a lawyer charging a person for the benefit of his legal opinion? Why should he apologize for that? Why shouldn't it be in the papers? I am never interviewed any more now, because I haven't any political influence, but I would be glad to see in an interview just what I have said to you, and see it much stronger. You will understand me that I say it as one who does not any longer have to have these fees, but it is only just to the lawyers of Indiana, and especially under the significant conditions that I outlined when I presented this report. It is time the lawyers were getting something. The opportunities for getting anything are diminishing all the time, and any one who tells a young man to take up the profession of the law in Indiana now is giving him bad advice. Twenty years ago

when I came back from the Philippines, my sister's son, Dr. Jewett Reed, of Indianapolis, who is now in charge of the Portsmouth Hospital in New Hampshire, was ready to enter a profession. I had an uncle much younger than me, because my grandfather married the second time, and this uncle was my junior, and they wanted to come into my office. I said, "No, never into this office does another young man come," and being in a sense the head of my family, I said, "None of these boys will ever study law. I will not put them in a position where they have to, in our community, go on the level of ambulance chasers or stand by and take the small fees and see less honorable men profit." The result is, the uncle is now a Colonel in the National Army. I sent him to West Point. Dr. Jewett V. Reed is one of the capable surgeons of the United States, although he is out of place, as he happened to get tangled up with the Navy. I speak from conviction. I was born a lawyer. I had a legal mind. I never was in a law school in my life. I began to practice law the day I was twenty-one, and the first time Judge Bicknell sustained a motion to strike out part of my complaint, I took a pen and struck it out. I practiced law like blind Tom played the piano—by instinct.

MR. DAN FRASER: By ear?

COLONEL JEWETT: By ear. I am speaking to you now seriously and sincerely. You are not just starting in the law. You are in it. You today are the Legion of Honor of the United States, because you, at least, have not only not profited by this unhappy war, but you have given your services freely and without hope or promise of reward, and with full notice that you will not get it. You ought all to have your heads higher for that, but for God's sake, don't

be afraid to charge a fee or be afraid of a newspaper. Every one should have hanging in his office a schedule of fees that will enable you to charge for anything you do, and you ought to live up to it, and the State Bar Association ought to adopt that report. I never knew what it was; I never looked at it. I want my name signed to it, and I want it adopted, so you will hold up the hands of your brethren throughout the State.

MR. WILLIAM A. HOUGH: Mr. President, the trouble about this report is that the charging of attorneys' fees is a local matter. What do you want to let some man in Greenfield give his services in some particular case where there is a certain amount of money involved and then have a man in Indianapolis in an exactly similar case get twice as much money? A gentleman out on the porch said the real purpose of this was to prevent lawyers having to pay income tax and I am against the report on that account. I want to see every man here pay an income tax. I think we ought all to pay one. These matters of fees have to be adjusted in local communities. You cannot put a schedule of fees in force all over the State. You cannot put a schedule of fees in force that will apply to Ferdinand Winter and some young man starting up in business. A man is entitled in the law business more than in any other profession to fix his own fees with his own clients, such as the circumstances may warrant.

COLONEL JEWETT: For my information, because I am in earnest about it, and I did not hear the report read, does that not merely prescribe minimum fees? Therefore, Mr. Ferdinand Winter can go just as high as he pleases, but he cannot charge any less, and I say that principle is right.

MR. HOUGH: As long as I practice law I want to have the right to serve a client for nothing, if I want to do it, and I propose to do it, too. I want to go back to the proposition that the fixing of fees is a local matter instead of a State matter. You cannot fix fees that will be applicable in large cities and also small towns and rural communities that will be exactly fair. If you do, you run into the very proposition that kept Brother Jewett here from signing that schedule of fees down at New Albany, and I do not believe that the established lawyer who has made a success out of his profession has to have his fees fixed by any sort of an association in order to get fair compensation for his services. I am opposed to the State Bar Association adopting any schedule of fees. I am in favor of local associations adopting such fees as their members may agree upon.

SECRETARY BATCHELOR: As the Secretary, I had no previous knowledge at all of this report. I had an intimation yesterday that such a report would be made, but I want to say this along the line of Mr. Hough's discussion. The Illinois State Bar Association two or three years ago appointed a committee to adopt a schedule of minimum fees, as a guide for the younger members of the bar. That was the principle they went on. That committee made a report to the Illinois Bar Association and the Illinois Bar Association adopted a schedule of such fees, a schedule which has had a large circulation throughout the country and has been used in the trial of cases, as I think Judge Ewbank will bear me out, as a basis for fixing fees in courts in Marion County, so that at least one State Bar Association has taken action along that line. I don't know that there are others.

JUDGE LOUIS B. EWBANK: Mr. President, I do not now practice law. It doesn't make any difference how little I work or how hard I work my fees are the same, but I want to just take the lid off here for a moment and tell you that some lawyers are very seriously opposed to this schedule—and I won't say they are not right—on the ground that a schedule of this kind will be used four times to reduce your fees where it will be used once to increase them. You say a road matter before the Board of Commissioners is worth fifteen dollars, and you put a road project through here and you think it is worth fifteen hundred dollars and the Board of Commissioners will produce your schedule and tell you that fifteen dollars is about right. Now, as far as I am concerned, I don't care how little you lawyers get for your fees, nor how much. Sometimes a schedule of this kind is produced in court, but so far as I have ever observed the conditions are so very different in different matters, and matters that are not scheduled here at all, that to undertake to say generally that you will make it for the State and have a schedule, so, as has been suggested, in Greenfield, a town of under thirty thousand, it shall be fifty dollars, and in Indianapolis, twenty miles away, it shall be one hundred dollars, such a difference would create exceptions and evasions so that the purpose of the schedule would not be very largely accomplished.

MR. RALPH BAMBERGER: A year or so ago Congress passed a law of taxation, affecting pretty near every man, partnership and corporation in the United States, in which bill were many defects, but the Chairman of the committee having the bill in charge said he was going to vote for it blind, and that is the kind of legislation we had at that time. Evidently the Chairman, or Acting Chairman, be-

cause I believe he was acting only as Chairman of this committee at this time, being the only member present, proceeding upon the same principle, signed this blind without knowing what was in it.

COLONEL JEWETT: I didn't know it was even about fees. Mr. Salsbury asked me to sign it and I did.

MR. BAMBERGER: Now, I just want to say a word along the line of the necessity of something of this kind, Mr. President and gentlemen, but, devoting an intelligent effort in that direction instead of signing something blind and submitting it to us and then standing by it. A few years ago I had the audacity to introduce into the Indianapolis Bar Association a motion calling for a schedule of fees governing the examination of abstracts of title, and I did that for several reasons: First, I thought it was a subject matter that admitted of a schedule, and, second, there had been a very evil practice growing up here whereby a certain class of real estate agents, trust companies and building and loan associations insisted upon the examination of abstracts of title for a fee that was wholly inadequate to the responsibility that was attached to the affixing of your signature to your opinion, and that resolution was adopted and the Board of Managers reported back a schedule that is in force today. It was not considered undignified; it was not considered unprofessional, and I do not believe that the adoption of a schedule, as the Secretary suggests, largely as a guide, will be undignified, and I do feel its necessity. I want to emphasize everything that Mr. Jewett said in that direction, and we all know that what he said could be greatly amplified, because if there is one class of people that is being ground between the low fees and the high cost

of living today it is the lawyers. We cannot increase our charges as the merchant increases his wares and the manufacturer his prices. The only reason I arise now is to suggest that this be reported back, taken by the committee for another year and let us have something that represents their very best thought, study and attention, instead of something which is submitted blind.

MR. W. A. KETCHAM: All we are on now is a motion to reconsider.

JUDGE PLINY W. BARTHOLOMEW: A point of order. We have no report of any committee before our Association. This is not a report and ought not to be considered by this Association. If we have committees to report there should be something respectful presented to this Association, and it should be presented by the committee. Even with all the weight that Brother Jewett has and the strength which his approval would give, he states to this Association that he never read it and never knew what it was. Now, I think the suggestion of Mr. Bamberger certainly is important and I make that as a motion.

MR. KETCHAM: There is a motion to reconsider.

JUDGE BARTHOLOMEW: Then, I will second that motion.

MR. EDGAR T. LAUGHLIN: There is one side of this that has not been touched. I practice law in a very small town and my fees are practically every one under the list there, but still I have such a business that I paid some income tax, and I paid it on an actual practice of law, not on investments. I almost had a fight the other day over charging twenty-five dollars for a piece of work. If I had had a schedule like that, instead of losing a client and very near

having a fight, everything would have gone off peaceably. That is not only for the protection of the lawyer, but also for the client. The average client in a country town has no conception of what a fee ought to be, and if you can show him some schedule of what some bar goes by, it is all right. That fellow thought I was trying to hold him up and wanted to fight me. I don't expect he will ever come back.

TREASURER SALSBUURY: I would like to say just a word. I did the work in getting up this report and I am not ashamed of it.

MR. KETCHAM: Why didn't you sign it?

TREASURER SALSBUURY: I was not on the committee. I have been practicing law about thirty years and I believe I know something about conditions existing in the different counties of the State as to fees.

MR. SAMUEL PARKER: A point of order. I don't understand that there is any question before the house except a motion to reconsider—not whether or not this schedule is right.

PRESIDENT FOWLER: That is right.

MR. JAMES M. OGDEN: I think Mr. Salsbury, as a matter of personal privilege, has a right to explain himself.

PRESIDENT FOWLER: We have another paper to hear, but if it may be taken by consent, we will hear Mr. Salsbury.

TREASURER SALSBUURY: This schedule that was presented is practically the schedule adopted by the Illinois State Bar Association, except that the high schedules, in cities of the first class, that is the large cities, is lower than the cities

of the first class in the Illinois schedule. I wanted to meet this proposition. During the time that I have been Chairman of the Membership Committee I have been endeavoring to secure members from the outside counties, and day after day in my efforts I have this to contend with: "What does the Bar Association do for us?" What am I to answer? What have we done for the lawyers? We have not done a thing. We have permitted the trust companies to usurp and take over all of the probate business practically. They have taken all the business that the young lawyer made a living out of—the business that Sam Parker made a living out of when he started and what I made a living out of when I started.

MR. PARKER: I am getting more than I had back there, because I am attorney for a trust company.

TREASURER SALSURY: That is what I supposed when you made this motion. I was anxious, if this was adopted, to be in a position where I could go to the lawyers of the State and say, "We have done something now. Get into this Bar Association and do something for yourself." If we will do something for the lawyers we can double the membership of this Association. That is why I had this presented, and I hoped that it would be adopted, not that it is perfect—there are many imperfections in it—but it can be amended and changed after its adoption and you see how it works.

PRESIDENT FOWLER: The motion is to reconsider the motion by which the schedule of fees was laid on the table.

(The motion was put to vote and carried.)

MR. W. KETCHAM: Now, Mr. President, I want to make a motion that this paper which purports to be a report from

the Committee on Jurisprudence and Law Reform, be returned to the Committee on Jurisprudence and Law Reform for such action as that committee may deem itself advised to take. (Seconded.)

PRESIDENT FOWLER: When are they to report?

A MEMBER: (unrecognized) I move that they report at this session, this afternoon. (Not seconded.)

MR. KETCHAM: I want to say that this is supposed to be a report from the Committee on Jurisprudence and Law Reform, and the proposition that we shall not charge less than ten dollars or less than fifty dollars or less than something else, in the first place, is not within the purview of the Committee on Jurisprudence and Law Reform; but that is not my objection to it. My objection to it is that here is a paper that is brought in, and it is suggested that it was brought about by the worthy Treasurer of this Association in order to aid his efforts to increase the membership here, but it has not got a name to it at all.

COLONEL JEWETT: Oh, yes.

MR. KETCHAM: When it came in here it did not have a name to it and the man that brought it in did not know what was in it, and said he did not, and he don't know what is in it now.

COLONEL JEWETT: But it is legitimate now.

MR. KETCHAM: When a report is to be acted on by the State Bar Association it ought to have to it more signatures than one man who happens to be a member of the committee and smuggles it into the Association. That is in the first place. In the next place, with reference to what

has been said by Mr. Bamberger there may have been something done by the Indianapolis Bar Association along this line. I remember that there was something attempted to be done some time ago—some years ago—by the Indianapolis Bar Association along that line, and the Indianapolis Bar Association absolutely refused to do it. It was not done, and if there has anything ever been done along that line by the Indianapolis Bar Association it was done at some meeting when I was not there.

MR. BAMBERGER: There never was any such meeting, because you were always there.

MR. KETCHAM: I want to say that unless it was done on an occasion when my daughter was having a birthday party for me and therefore I could not be at the Bar Association meeting, it was never done. It was presented and there was objection made to it, and I want to say without discussing it very much now, that it is not any of the business of the Indianapolis Bar Association or the Indiana Bar Association that I shall charge a minimum fee of ten dollars or fifty dollars or one hundred dollars or five hundred dollars. That is a matter between me and my client, and nobody else, unless there is some occasion for a controversy and then it is a matter between me and my client and the court.

COLONEL JEWETT: Let your conscience be your guide.

MR. KETCHAM: Yes, and it ought to be a guide for every member of this Association. This Association is not an organization to boost fees, to interfere with arrangements between the lawyer and the client and the court, and I think at any rate this resolution or this report or what-

ever you call it ought to go back to the Committee on Jurisprudence and Law Reform and if they want to father it and sign it and bring it in, then we will discuss it on its merits, but now, with all due respect to my worthy friend from the Ohio River that would not join with his own Bar Association, it is here simply as a bastard.

COLONEL JEWETT: I really want to say that I have recognized it and everybody here knows that it now inherits from me.

MR. KETCHAM: The gentleman has confessed that he is an unmarried man, and if it is his offspring it is a bastard. At any rate, no report ought to be received for consideration by this Association when there are seven members of the committee and not one single one knew anything about it except the man from the Ohio River and a man who is Treasurer of this Association, not a member of the committee, and who has no business with that report.

MR. DAN FRASER: I want to make a speech about this thing.

PRESIDENT FOWLER: If we are to get through with this program we must proceed.

SECRETARY BATCHELOR: A point of order. The by-laws of this Association provide that the Board of Managers shall fix the program. The Board of Managers has fixed the program and the present discussion is not in the order of that program. It is not time for it.

MR. FRASER: I want to make it a question of personal privilege.

SECRETARY BATCHELOR: I made the point of order that it is out of place and I move that we proceed with the regular program that the Board of Managers laid down.

COLONEL JEWETT: I want to know why I was brought in off of the porch and told it was time to present my report?

MR. DAN FRASER: Gentlemen, I understand there is some provision in this that you are required to charge some sum for advice. That puts every lawyer in the country out of business. In the first place, they come and talk to us about a line fence or road work, and so on, and they won't say anything more about it until the next year, and then they talk about their trespassing cattle, right after harvest, and we don't get anything for that. Now, gentlemen, this is a serious matter—a matter of personal privilege. I had a neighbor, one of the best neighbors a man ever had. He let his stock out in the road. He has got nice grass and don't like to have it trampled on and won't keep them up. I turned his cattle into the pasture field and I went and told him if we pastured them at all we would keep them there until after harvest. He said all right. The windmill went out of commission, and I put in a whole long Sunday pumping water for his cattle. I got on my horse and went over there and I said, "Do you expect us to furnish water for those cattle?" He shifted his chew over to the other side of his mouth and said, "There was nothing said about that—what would be the law on that?"

Now, I can't take any part against the Colonel here and Captain Ketcham. I would like to vote with both of them, but on account of some friends that are not here, Judge Hammond, for instance, I don't like to have any fixing of

fees done at all. I would not like to have that at all. We have got to practice law, and if they find out we are going to get paid for it that would put us out of business.

JUDGE R. MCBRIDE: I move that this whole subject be laid on the table. (Seconded and carried.)

PRESIDENT FOWLER: The next matter on the program is "The Movement for Uniform State Legislation" by Judge Kirkpatrick.

(For Judge Kirkpatrick's address see page 138.)

PRESIDENT FOWLER: The next will be a discussion of the subject covered by Judge Kirkpatrick's paper by Professor Ernst Freund of the University of Chicago.

(For discussion by Prof. Freund, see page 153.)

MR. O. H. MONTGOMERY: Mr. President, before we leave the subject of the last paper, I think it is quite apparent that Indiana has lagged behind the procession in the promotion of uniform State laws and in accordance with the suggestion in the paper which was just presented, I move that the Committee of this Association on Legislation be instructed to present to the next General Assembly a bill for the establishment of a commission to represent this State in the promotion of uniform State laws. (Seconded.)

SECRETARY BATCHELOR: The by-laws of the Indiana State Bar Association provide that one of the duties of the Standing Committee on Legislation shall be to recommend to the Legislature the laws recommended by the National Conference on Uniform State Laws. This law, as I understand it, has been recommended by the Conference on Uniform State Laws, and it becomes the duty of the committee under this by-law to present it to the Legislature.

MR. MONTGOMERY: Then, if it is already provided for, I will withdraw my motion.

JUDGE KIRKPATRICK: This provides for the appointment of State Commissioners to serve as members of the National Committee. As it is today the Governor appoints this legal commission. Here this uniform law provides that the Governor shall appoint for a period of four years, so as to give the Commissioners a term of office that would enable them to take up these different matters with your Bar Association and also the Legislature these uniform acts prepared and adopted by the National Uniform Law Conference. That can be presented to this committee and it can examine the matter, and I really think it would be well for the motion that was made a moment ago to be accepted, giving those instructions to the Legislative Committee. If you find later that it was fully covered, I don't think it would do any harm to have that stand.

SECRETARY BATCHELOR: I don't think it would do any harm to have an express motion, but I thought it was already covered by the by-law.

MR. BAMBERGER: Inasmuch as that has been the particular subject to which we have devoted our time this afternoon, and in view of the light that has been given us by the paper of Mr. Kirkpatrick and the excellent discussion of Professor Freund, even though it be a matter of duplication, I don't think it would be in conflict with the spirit of our constitution and by-laws to adopt the motion or resolution offered and I second that, if the gentleman will consent to present it.

PRESIDENT FOWLER: I will entertain the motion if you will make it again.

MR. MONTGOMERY: My motion was that the Committee on Legislation of the Indiana State Bar Association be directed to present to the next General Assembly a bill for the creation of a commission on the subject of uniform State laws. Now, it seems to be a proposition, as I understand it, that there should be official character given by a law of this State to such a body. I think so far that it is a mere voluntary appointment at the pleasure of the governor, without any law behind it. I think for that reason this motion is wider in its scope than the by-law to which reference has been made. (Seconded by Mr. Bamberger.)

(The motion was put to vote and carried.)

SECRETARY BATCHELOR: This Association is entitled to delegates to the American Bar Association and delegates to the Conference of State and Local Bar Associations to be held in Cleveland, Ohio, August 27th and 28th, and I move you that the incoming President be directed to appoint three delegates to the American Bar Association and three delegates to the Conference of State and Local Bar Associations.

(Seconded and carried.)

PRESIDENT FOWLER: The next is the report of the Treasurer.

REPORT OF TREASURER.

INDIANAPOLIS, IND., July 10, 1918.

To the Indiana State Bar Association:

The Treasurer stands charged with balance on hand as shown
by last Annual Report of July 11, 1917.....\$2,726.11

Dues collected during the year as follows:

1917

July 11	Schuyler A. Haas.....	\$15.00
"	Frederick C. Braun (new).....	5.00
"	W. M. Amsden.....	5.00
"	Fred Barnett	10.00
"	Christian J. Emhardt.....	5.00
"	Virgil H. Lockwood.....	10.00
"	Chester R. Montgomery.....	5.00
"	William G. Oliver.....	5.00
"	Samuel E. Cook.....	5.00
"	E. K. Strong.....	5.00
"	Fred Wade	5.00
"	Bradford D. L. Glazebrook (new).....	5.00
"	William R. Nesbit (new).....	5.00
"	Charles D. Hunt.....	10.00
"	Wm. A. Collins.....	5.00
"	Frank Hamilton	5.00
"	Michael Ryan	5.00
"	Frank S. Roby.....	5.00
"	Paul H. Schmidt (new).....	5.00
"	James J. Moran.....	5.00
"	J. W. Williams.....	5.00
"	Frank H. Hatfield (new).....	5.00
"	Samuel J. Offutt.....	5.00
"	Newton W. Gilbert.....	5.00
"	Thomas A. Daily.....	10.00
"	Norman F. Wolf.....	5.00

PROCEEDINGS

65

July 12	Sidney B. Davis.....	5.00
"	Claude Y. Andrews (new).....	5.00
"	Leroy O. Arnold (new).....	5.00
"	John Weaver (new).....	5.00
"	Roscoe M. Grable (new).....	5.00
"	Arthur H. Taylor (new).....	5.00
"	Carina C. Warrington (new).....	5.00
"	Milton B. Hottel.....	5.00
"	Quincy A. Myers.....	5.00
"	Mark H. Miller.....	5.00
"	Andrew Anderson	20.00
Aug. 30	F. S. Caldwell.....	5.00
"	James C. Fletcher.....	5.00
"	S. C. Hubbell.....	5.00
"	Byford E. Long.....	5.00
"	G. V. Mengies.....	10.00
"	Willard New	5.00
"	Erie G. Sproat.....	10.00
"	James A. Van Osdol.....	5.00

1918

April 27	Rowland Evans	5.00
"	John G. Williams.....	5.00
April 29	Charles S. Baker.....	5.00
"	Frank N. Richman.....	5.00
"	Ralph Bamberger	5.00
"	Milton Bell	5.00
"	Lex J. Kirkpatrick.....	5.00
"	W. C. Purdum.....	5.00
"	Estal G. Bielby.....	5.00
"	Jackson Boyd	5.00
"	John C. Chaney.....	5.00
"	Gus S. Condo.....	5.00
"	James A. Cooper, Jr.....	5.00
"	B. F. Corwin.....	5.00
"	Chauncey W. Duncan.....	5.00
"	Edwin P. Hammond.....	5.00
"	Hinkle C. Hays.....	5.00

"	John T. Hays.....	5.00
"	Will H. Hays.....	5.00
"	Joseph C. Herron.....	5.00
"	Frank L. Littleton.....	5.00
"	Charles V. McAdams.....	5.00
"	Louis A. Meyer.....	5.00
"	T. J. Moll.....	5.00
"	Harvey Morris	5.00
"	David A. Myers.....	5.00
"	Walter L. Neible.....	5.00
"	H. W. Phipps.....	5.00
"	Albert Rabb	5.00
"	Edgar D. Randolph.....	5.00
"	Charles Remster	5.00
"	N. Earl Rowley.....	5.00
"	John L. Rupe.....	5.00
"	Charles W. Smith.....	5.00
"	Allison E. Stuart.....	5.00
"	William V. Stuart.....	5.00
"	Elbert M. Swan.....	5.00
"	William L. Taylor.....	5.00
"	Carl E. Wood.....	5.00
April 30	James Bingham	5.00
"	Vinson Carter	5.00
"	Clarence R. Cowger.....	5.00
"	Shepard J. Crumpacker.....	5.00
"	Paul G. Davis.....	5.00
"	Lincoln Dixon	5.00
"	Harry C. Meloy.....	5.00
"	Richard L. Ewbank.....	5.00
"	Frank W. Gordon.....	5.00
"	George W. Holman.....	5.00
"	Elwin M. Hulse.....	5.00
"	Charles M. McCabe	5.00
"	Charles W. Miller	5.00
"	Frank B. Pattee.....	5.00
"	Rudolph J. Roller.....	5.00

PROCEEDINGS

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		Rudolph V. Shakes.....	5.00
		John W. Spencer.....	5.00
		Arthur H. Taylor.....	5.00
		William W. Thornton.....	5.00
		Joseph E. Bell.....	5.00
		Otis E. Gulley.....	5.00
		George P. Haywood.....	5.00
		John H. Weathers.....	5.00
		Edward B. Zigler.....	5.00
May	1	Claude G. Andrews.....	5.00
		Will G. Crabill.....	5.00
		Lawrence B. Davis.....	5.00
		Frank E. Hutchinson.....	5.00
		James E. Kepperly.....	5.00
		John Morris	5.00
		Donald L. Smith.....	5.00
		Charles M., Niezer.....	5.00
		Elmer E. Scott.....	5.00
		Harry C. Sheridan.....	5.00
		Samuel L. Trabue.....	5.00
		Bomar Traylor	5.00
		J. Olias Vanier.....	5.00
		James P. Wasson.....	5.00
		Evans Woollen	5.00
		Lueppo D. Buenting.....	5.00
		Clarence W. Means.....	5.00
		Charles F. Remy.....	5.00
May	2	Earl B. Barnes.....	5.00
		Wymond J. Beckett.....	5.00
		Arthur M. Brady.....	5.00
		Henry Daniels	5.00
		George A. Dix.....	5.00
		Willard B. Gemmill.....	5.00
		Charles Martindale	5.00
		Daniel H. Ortmeier.....	5.00
		Willett H. Parr.....	5.00
		Leo M. Rappaport.....	5.00

"	A. C. Silverburg.....	5.00
"	George H. Voigt.....	5.00
" 3	Robert H. Bryson.....	5.00
"	John B. Cockrum.....	5.00
"	Edgar D. Crumpacker.....	5.00
"	Milo Feightner.....	5.00
"	Michael E. Foley.....	5.00
"	John W. Hanan.....	5.00
"	Chase Harding.....	5.00
"	William T. Haymond.....	5.00
"	Aquilla Q. Jones.....	5.00
"	Milton Kraus.....	5.00
"	Thomas R. Marshall.....	5.00
"	Charles J. Orbison.....	5.00
"	Hume L. Sammons.....	5.00
"	John E. Sedwick.....	5.00
" 4	Robert A. Adams.....	5.00
"	A. C. Ayers.....	5.00
"	James M. Barrett.....	5.00
"	Philip W. Frey.....	5.00
"	Andrew J. Hickey.....	5.00
"	H. H. Hornbrook.....	5.00
"	William Robison.....	5.00
"	Edwin Taylor.....	5.00
"	Rollin A. Turner.....	5.00
"	John D. Welman.....	10.00
"	Howard S. Young.....	5.00
" 6	Andrew A. Adams.....	5.00
"	Jesse R. Coleman.....	5.00
"	Benjamin Crane.....	5.00
"	James L. Gavin.....	5.00
"	U. S. Lesh.....	5.00
"	William S. Shirley.....	5.00
"	L. Ert Slack.....	15.00
" 11	John O. Bowers.....	20.00
"	Charles A. Burnett.....	5.00
"	James L. Clark.....	5.00

PROCEEDINGS

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"	Jeremiah B. Collins.....	5.00
"	Guilford A. Deitch.....	5.00
"	James S. Drake.....	5.00
"	Charles W. Fairbanks.....	5.00
"	Ed. V. Fitzpatrick.....	5.00
"	James R. Frazer.....	5.00
"	James F. Gallaher.....	5.00
"	Frank H. Hatfield.....	5.00
"	Benjamin F. Heaton.....	5.00
"	Owen N. Heaton.....	5.00
"	Oscar K. Hobbs.....	5.00
"	John E. Hollett.....	5.00
"	William P. Kappes.....	5.00
"	Stewart T. McConnell.....	5.00
"	Buena V. Marshall.....	5.00
"	Frederick E. Matson.....	5.00
"	Henry W. Moore.....	10.00
"	Samuel L. Morris.....	5.00
"	Samuel Parker.....	5.00
"	Albert W. Philips.....	5.00
"	Samuel O. Pickens.....	5.00
"	Samuel M. Ralston.....	5.00
"	William L. Slinkard.....	5.00
"	Evan B. Stotsenburg.....	5.00
"	Elmer W. Stout.....	5.00
"	Harry R. Wair.....	5.00
"	Larz A. Whitcomb.....	5.00
"	Hugh Wickens.....	5.00
"	Fred E. Zollars.....	5.00
" 14	Fred F. Bays.....	5.00
"	William H. Brickwell.....	5.00
"	Noble C. Butler.....	5.00
"	Cornelius R. Collins.....	5.00
"	Frank E. Gavin.....	5.00
"	Alvarado L. Gray.....	5.00
"	George H. Hester.....	5.00
"	Hilcary Q. Houghton.....	5.00

	"	Leamler J. Monks.....	5.00
	"	James E. Piety.....	5.00
	"	Charles W. Richards.....	5.00
	"	Dan W. Simms.....	5.00
	"	C. B. Tinkham.....	5.00
	"	Dan Waugh.....	5.00
	"	Galitzen A. Farabaugh.....	5.00
	"	Henry N. Spaan.....	5.00
	" 18	William S. Beck.....	5.00
	"	Albert J. Beveridge.....	5.00
	"	Verne G. Cawley.....	5.00
	"	William H. Charles.....	5.00
	"	William Darroch.....	5.00
	"	John W. Craig.....	5.00
	"	John W. Donaker.....	5.00
	"	Louis M. Hammerschmidt.....	5.00
	"	Ernest M. Hawkins.....	5.00
	"	Arthur M. Hood.....	5.00
	"	Charles W. Jewett.....	5.00
	"	Joseph T. McNary.....	5.00
	"	Frank E. Osborn.....	5.00
	"	William V. Rooker.....	5.00
	"	Albert Ward.....	5.00
	"	James A. Hemenway.....	5.00
	"	John G. Rauch.....	10.00
	"	David P. Williams.....	5.00
	"	Joseph B. Kealing.....	5.00
	"	Iden S. Romig.....	5.00
	"	James W. Noel.....	5.00
June	3	William P. Brien.....	5.00
	"	Robert B. Dreibelbiss.....	5.00
	"	James W. Fesler.....	5.00
	"	Inman H. Fowler.....	5.00
	"	William D. Frazer.....	5.00
	"	Frank E. Gilkinson.....	5.00
	"	Milton S. Hastings.....	5.00
	"	Milford P. Hubbard.....	5.00

PROCEEDINGS

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"	Martin M. Hugg.....	5.00
"	John T. Jameson.....	5.00
"	William G. Oliver.....	5.00
"	James H. Rose.....	5.00
"	Paul H. Schmidt.....	5.00
"	Abram Simmons.....	5.00
"	Harold Taylor.....	5.00
"	Vernon W. VanFleet.....	5.00
"	Carina C. Warrington.....	5.00
"	William J. Whinery.....	5.00
"	Edward M. White.....	5.00
"	Will R. Wood.....	5.00
"	William Watson Woollen.....	5.00
"	Guy R. York.....	5.00
" 6	Samuel P. Baird.....	5.00
"	Edward C. Eikman.....	5.00
"	Christian J. Emhardt.....	5.00
"	Louis B. Ewbank.....	5.00
" 15	Lawrence D. Carey.....	5.00
"	Enos Cole.....	5.00
"	Earl R. Conder.....	5.00
"	J. D. Conner, Jr.....	5.00
"	Frank F. Edenharter.....	5.00
"	Thomas M. Green.....	5.00
"	J. Frank Hanan.....	5.00
"	Elmer E. Hastings.....	5.00
"	William B. Hile.....	5.00
"	Roscoe A. Kaufman.....	5.00
"	Ernest R. Keith.....	5.00
"	George A. Kurtz.....	5.00
"	Oscar H. Montgomery.....	5.00
"	Samuel L. Morris, Jr.....	5.00
"	George E. Ross.....	5.00
"	Emery B. Sellers.....	5.00
"	George Shirts.....	5.00
"	William H. Thompson.....	5.00
"	James A. Van Osdol.....	5.00

		" Philip Wilkinson.....	5.00
		" C. C. Gillen (new).....	5.00
	17	" Sumner Kenner.....	5.00
		" F. S. Caldwell.....	5.00
		" Ethan A. Dausman (new).....	5.00
		" Milton B. Hottel.....	5.00
		" Moses B. Lairy.....	5.00
	22	" Everett Guy Ballard (new).....	5.00
		" John H. Cartwright.....	5.00
		" Arthur D. Cutler.....	5.00
		" John C. McNutt.....	5.00
		" Will A. Roach.....	5.00
		" Howard L. Townsend (new).....	5.00
		" Elias D. Salsbury.....	5.00
	27	" Quincy A. Myers.....	5.00
		" John J. Rockford.....	5.00
		" William H. Smith.....	5.00
	29	" Eleanor P. Barker.....	10.00
		" Mark H. Miller.....	5.00
		" Elmer E. Stevenson.....	5.00
July	2	" Charles F. Coffin.....	5.00
		" George M. Crane.....	5.00
		" Charles A. Dryer.....	5.00
		" Dan Fraser.....	5.00
		" Edward E. Gates.....	10.00
		" William W. Hammond.....	5.00
		" Roscoe A. Heavilin.....	5.00
		" James E. McDonald.....	5.00
		" Samuel D. Miller.....	5.00
		" Ulric Z. Wiley.....	5.00
	3	" Samuel Ashby.....	5.00
		" Pliny W. Bartholomew.....	5.00
		" Lewis A. Coleman.....	5.00
		" Edward W. Felt.....	5.00
		" Carey W. Gaston.....	5.00
		" Charles W. Hanley.....	5.00
		" Thomas M. Honan.....	5.00

PROCEEDINGS

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"	William A. Ketcham.....	5.00
"	Erastus W. McDaniel.....	5.00
"	Charles R. Milford.....	5.00
"	Charles W. Moores.....	5.00
"	Douglas Morris.....	5.00
"	Walter Olds.....	5.00
"	William A. Pickens.....	5.00
"	Oscar L. Pond.....	10.00
"	Cassius C. Shirley.....	5.00
"	John A. Titsworth.....	5.00
"	Philip Zoercher.....	5.00
"	Frederick C. Crumpacker.....	20.00
"	George M. Eberhart.....	5.00
"	Michael L. Fansler.....	5.00
"	Ray K. Shively.....	5.00
"	James J. Moran.....	5.00
"	Marcus R. Sulzer.....	10.00
" 5	John T. Beasley.....	5.00
"	Oliver H. Bogue.....	5.00
"	Charles E. Cox.....	10.00
"	Thomas S. Cravens.....	5.00
"	Frank Ellis.....	5.00
"	Newton W. Gilbert.....	5.00
"	Charles L. Jewett.....	5.00
"	William W. Lambert.....	5.00
"	Russell T. MacFall.....	5.00
"	Robert W. McBride.....	5.00
"	Henry S. McMichael.....	5.00
"	William C. Mitchell.....	5.00
"	Chester R. Montgomery.....	5.00
"	J. Shannon Nave.....	5.00
"	Charles R. Pollard.....	5.00
"	Alfred F. Potts.....	5.00
"	Willis E. Roe.....	5.00
"	Clarence A. Royse.....	5.00
"	John C. Ruckelshaus.....	5.00
" 5	James H. State.....	5.00

INDIANA STATE BAR ASSOCIATION

"	James E. Watson.....	5.00
"	Sol A. Wood.....	5.00
"	Oren S. Hack.....	5.00
" 6	Charles A. Cole.....	5.00
"	Robert F. Davidson.....	5.00
"	Samuel Dowden.....	5.00
"	Lawson M. Harvey.....	5.00
"	Joseph G. Ibach.....	5.00
"	John E. McFall.....	5.00
"	Andrew J. Shelby.....	10.00
"	Smith N. Stevens.....	5.00
"	H. H. Loring.....	5.00
" 5	Samuel S. Brewer.....	5.00
"	John R. Brown.....	5.00
"	Samuel E. Cook.....	5.00
"	Isidor Feibleman.....	10.00
"	Frank Gilman (new).....	5.00
"	Hubert Hickam (new).....	5.00
"	Hiram M. Logsdon.....	5.00
"	Charles C. Pettijohn.....	5.00
"	Lemuel W. Royse.....	5.00
"	James A. Collins.....	10.00
"	William F. Elliott.....	5.00
" 9	John H. Kingsbury.....	5.00
"	Jesse E. Eschbach.....	10.00
"	Frank Hamilton.....	5.00
"	George H. Koons.....	5.00
"	Louis H. Oberreich.....	5.00
"	John O. Piety.....	5.00
"	Raymond S. Springer.....	5.00
"	Frederick Van Nuys.....	5.00
"	George H. Batchelor.....	5.00
"	Samuel R. Alden.....	5.00
"	James M. Ogden.....	5.00
Total dues collected.....		<u>\$2,115.00</u>

Collected Interest on Deposits:

July, 1917	\$ 6.82
August, 1917	5.26
September, 1917	2.47
October, 1917	3.50
November, 1917	3.29
December, 1917	3.12
January, 1918	2.71
February, 1918	2.55
March, 1918	2.63
April, 1918	1.07
May, 1918	2.71
June, 1918	2.88
Total interest for year	\$39.04
Total with which I am chargeable	\$4,880.15

As Treasurer I have expended the following amounts:

1917 Check No.

Aug. 3	186—Chas. S. Cutting, expenses annual address....	\$ 12.70
Aug. 3	187—Paul R. Matthews, music, annual meeting....	10.68
Aug. 3	188—T. A. Randall & Co.....	19.14
Aug. 3	189—Harrington & Folger, letterheads, etc.....	9.00
Aug. 3	190—Western Union, telegrams for Secretary.....	.85
Aug. 15	191—The Country Club, lunches and dinners.....	1,421.50
Aug. 18	192—Elias D. Salsbury, on salary.....	10.00
Aug. 25	193—Claypool Hotel, rooms, Cutting and Gilbert	7.50
Aug. 25	194—Harrington & Folger, dinner tickets.....	2.25
Sept. 1	195—Elias D. Salsbury, on salary.....	10.00
Sept. 11	196—Geo. H. Batchelor, Secretary, for postage....	5.00
Sept. 20	197—Western Union, telegram to Wigmore.....	.54
Oct. 25	198—Frances Fuller, stenographer for Secretary	10.00
Nov. 10	199—Geo. H. Batchelor, Sec'y, salary for quarter	62.50
Nov. 17	200—Frank H. Hatfield, expense at management..	9.80
Nov. 27	201—T. A. Randall & Co., stamps, postals, etc., for Secretary.....	27.88
Nov. 27	202—Harrington & Folger, postals and printing..	8.50
Dec. 3	203—Elias D. Salsbury, on salary.....	30.00

Dec. 19	204—Harrington & Folger, envelopes.....	8.00
Dec. 19	205—Western Union, telegram to Geo. Crowler....	1.21

1918

Jan. 26	206—Frances Fuller, stenographer for Secretary	20.00
Jan. 26	207—Geo. H. Batchelor, Sec'y, salary, stamps.....	71.30
Jan. 26	208—Harrington & Folger, 750 gummed labels....	4.50
Feb. 16	209—Geo. H. Batchelor, Secretary, stamps.....	5.00
Feb. 18	210—Western Union, telegrams, Sutherland, etc.	1.55
March 6	211—Harrington & Folger, report annual meeting, etc.....	752.41
April 16	212—Geo. H. Batchelor, Sec'y, salary for quarter	62.50
April 16	213—Frances Fuller, stenographer for Secretary	7.50
April 26	214—R. E. Springsteen, postage for Treasurer....	25.00
May 4	215—E. D. Salsbury, salary.....	40.00
May 11	216—R. E. Springsteen, postage for Treasurer.....	24.00
May 11	217—A. A. Letter Shop, stenographer for Treas...	8.70
May 13	218—Geo. J. Mayer & Co., stamps for Treasurer..	1.25
May 31	219—American Red Cross, donation.....	300.00
June 1	220—Geo. H. Batchelor, Secretary, postage.....	20.00
June 6	221—Western Union, telegrams.....	1.83
June 6	222—Frank H. Hatfield, expense management.....	10.60
June 6	223—Harrington & Folger, cards, envelopes, etc...	20.00
June 6	224—E. D. Salsbury, Treasurer, on salary.....	10.00
June 22	225—Harrington & Folger, applications, program	61.75
June 22	226—Frances Fuller, addressing letters for Sec'y	6.00
June 29	227—Willett H. Parr, expense committee need....	1.19
July 2	228—Frances Fuller, stenographer for Secretary, May and June.....	5.00
July 2	229—Geo. H. Batchelor, Sec'y, salary to July 1....	62.50
July 2	230—Roscoe A. Heavilin, expense managers need	5.40
July 2	231—A. A. Letter Shop, stenographic work for Treasurer	3.00
July 6	232—Western Union, telegrams, N. Y.....	2.92
July 6	233—Elias D. Salsbury, balance salary June 30....	10.00
July 8	234—Rowland Evans, reporting annual meeting, etc.	77.50

Total disbursements during the year.....\$3,288.45

RECAPITULATION.

Total on hand at last report.....	\$2,726.11
Total dues collected during year.....	2,115.00
Total interest on deposits during year.....	39.04
Total with which I am chargeable.....	<u>\$4,880.15</u>
Total disbursements during year.....	3,288.45
Leaving cash balance on hand July 10, 1918.....	<u>\$1,591.70</u>
Balance on hand as shown by bank statement (Security Trust Company)	\$1,685.52
Checks issued and not returned:	
Check No. 228.....	\$ 5.00
Check No. 230.....	5.40
Check No. 231.....	3.00
Check No. 232.....	2.92
Check No. 234.....	<u>77.50</u>
	93.82
	<u>\$1,591.70</u>

ELIAS D. SALSBUry,
Treasurer.

TREASURER SALSBUry: I move you that an Auditing Committee be appointed to audit the report of the Treasurer and report to the Association. (Seconded and carried.)

SECRETARY BATCHELOR: I would like for the Treasurer to explain to the Association that there was donated, as a part of the expenses, \$300.00 to the Red Cross. Is that right?

TREASURER SALSBUry: That is correct.

JUDGE U. Z. WILEY: With permission I desire to offer a brief resolution, one that is personal in its character, as to one of our members, which I think will meet with the hearty approval of this Association:

"WHEREAS, On the night of June 29, 1918, Honorable Charles F. Remy, a charter member of the Indiana State Bar Association, met with a serious and dangerous accident by being struck by a street car while crossing Central Avenue at its intersection with Sixteenth Street, in the City of Indianapolis, and

"WHEREAS, From his injuries thus inflicted, he has suffered great pain of body and mental anguish, and is still so suffering, and by reason of which he is unable to be present with us at our annual meeting, and

"WHEREAS, He is now convalescing, and appears to be in a fair way to ultimate recovery; therefore, be it

"Resolved, That in memory of him as a charter and faithful member of the Association, and in appreciation of his worth as a lawyer and a citizen, and the high esteem in which we hold him, we extend to him our deepest sympathies, our cordial and fraternal good wishes, and hope that he may speedily recover.

"Resolved, further, that this resolution be spread of record upon our minutes, and that a copy thereof be forwarded to him.

Mr. President: I move the adoption of the foregoing resolution.

(Seconded and carried unanimously.)

PRESIDENT FOWLER: Is there any other business any member knows of under the head of Miscellaneous Business? I know of nothing. If not, the election of officers will be the next business.

MR. DAN FRASER: Mr. Chairman and Gentlemen: I nominate Mr. Ernest R. Keith of Indianapolis for Presi-

dent. I think that is a fine thing to do, because a big majority of the people of this city have nominated him for a very important place. (Seconded by Mr. Samuel Parker.)

I move you that the rules be suspended and that the Secretary be directed to cast the unanimous vote of the Association for Mr. Keith for President. (Seconded and carried.)

SECRETARY BATCHELOR: The Secretary so casts the vote.

JUDGE U. Z. WILEY: I place in nomination Judge Oscar H. Montgomery as Vice-President of the Association. (Seconded.)

TREASURER SALSBUURY: I place in nomination Mr. James J. Moran.

MR. JAMES J. MORAN: In order that we may have perfect harmony in this meeting, I ask the privilege of having my name withdrawn, and I move you that nominations be closed and that the Secretary cast the unanimous ballot of the Association for Judge Montgomery for Vice-President.

PRESIDENT FOWLER: If no objection, it may be taken by consent.

SECRETARY BATCHELOR: I so cast the vote.

MR. BARNETT: This seems to be a good working slate, and I take it the nominations for Secretary and Treasurer are next in order, and I therefore move that we nominate Mr. Batchelor for Secretary and Mr. Salsbury for Treasurer, and I move further that the Secretary cast the vote of this entire assembly or Association for those two gentlemen.

SECRETARY BATCHELOR: I cast the vote of the Association for Captain Salsbury for Treasurer, but having served this Association for more than ten years now as Secretary, having tried to give it faithful service, I would consider it a favor if the Association would relieve me from those duties. I refuse to vote for myself.

MR. BARNETT: I move that the President cast the vote.

THE PRESIDENT: I vote unanimously for George Batchelor for Secretary.

JUDGE JAMES A. COLLINS: I want to move the name of George Oscar Dix of Terre Haute as one of the Board of Managers. (Seconded.)

TREASURER SALSURY: I move you that Mr. Willits A. Bastian be one of the Board of Managers. (Seconded.)

MR. JAMES M. OGDEN: I move that Mr. Edgar Blessing be one. (Seconded.)

(The above named three nominees were elected unanimously as members of the Board of Managers.)

PRESIDENT FOWLER: We will hear a further report from the Membership Committee, Mr. Salsbury.

Treasurer Salsbury of the Membership Committee presented the following application:

To The Indiana State Bar Association:

The Decatur County Bar Association hereby applies for permission to become affiliated with the Indiana State Bar Association and in this application says:

1st. That the name of said Association is "The Decatur County Bar Association" of Greensburg, Ind.

2nd. That the object of said Association is for the mutual welfare of the members thereof for increasing the standard of admission to the bar and for the increase of affiliation among the members thereof and for the mutual association and benefit of the members.

3rd. That the number of its members are nineteen.

4th. That the officers of said Association are: President, Myron C. Jenkins; Secretary and Treasurer, Rollin A. Turner.

Signed by the President and Secretary of the Decatur County Bar Association of Greensburg, Indiana, this 21st day of June, 1918.

MYRON C. JENKINS, *President.*

ROLLEN A. TURNER, *Secretary.*

Mr. President:

I move that the Decatur County Bar Association's application for affiliated membership be accepted and that said Association be elected as an affiliated Association.

ELIAS D. SALSURY,
Chairman Membership Committee.

MR. LEWIS A. COLEMAN: I move that the Decatur County Bar Association be elected by acclamation. (Seconded and carried.)

MR. WM. L. TAYLOR: I think one thing has been omitted and that is in connection with the splendid address of Prof. Freund. I move you that the thanks of this Association be returned to him for his splendid address and work in our behalf. (Seconded and carried unanimously.)

JUDGE JAMES A. COLLINS: It just occurred to myself and Sam Parker here with the splendid report of the Treasurer, that on the next issue of Liberty Bonds, at least one thousand dollars of the funds of this Association be invested in Liberty Bonds. I make that as a motion. (Seconded.)

TREASURER SALSURY: I would like to give \$2,000, but when the expenses of this meeting are paid, unless there are more dues paid in there will be nothing to pay. I have been endeavoring for a number of years to get something done so as to interest the members of this Bar Association, but I have been unable to get them woke up to do anything, or have been unable to get this Bar Association to do anything which the members, as they talk to me, say should be done, and therefore I am opposed to this motion, because we are not financially able to do so.

MR. SAMUEL PARKER: What about that fifteen hundred dollars?

TREASURER SALSURY: That \$1,500 is to pay for the expenses of this meeting, to start on.

MR. PARKER: I move you as an amendment that the Board of Managers be instructed to investigate the subject and invest as much money as in their judgment is practicable in Liberty Loan Bonds of the next issue. (Seconded.)

MR. LEWIS A. COLEMAN: I am opposed to the motion. If the Board of Managers has got any money they ought to give it to the Red Cross and not invest it in Liberty Bonds.

MR. CHARLES MARTINDALE: I rise to inquire what amount is there on the books of the Treasurer against delinquents of the Association.

TREASURER SALSURY: The membership is 600. So far this year I have been able to collect from 374.

MR. MARTINDALE: Now, Mr. President, I move that the Treasurer be instructed to enforce the rules of the Association with respect to delinquencies, and that the money collected from delinquencies be added to the fund for the purchase of Liberty Bonds.

PRESIDENT FOWLER: There is a motion pending, as I understand it. Let's dispose of that.

MR. PARKER: The motion is that the Board of Managers take jurisdiction of the funds to the extent of determining what amount be properly and safely in the interest of the Association be invested in Liberty Bonds, and whatever that amount may be, that it be invested in Liberty Bonds of the next issue.

(The motion was put to vote and carried.)

MR. MARTINDALE: Now, my motion is in order. I think it is not right that out of a membership of 600 there should be something like 300 delinquents, and I think the rules ought to be enforced and that money collected and invested in Liberty Bonds.

(The motion was put to vote and carried.)

TREASURER SALSURY: I just want to call your attention to Article XIII of the by-laws:

"The dues of this Association shall be five dollars per year, payable annually in advance on the first day of January of each year. Any member who neglects to pay his dues for any year at or

before the next annual meeting shall not be entitled to any of the privileges of membership and shall upon direction of the Board of Managers be dropped from the roll of members. The Treasurer shall give notice of this by-law at least sixty days before each annual meeting to all members in default."

MR. MARTINDALE: That is a self-executing provision, and if the notification is sent to the member that under the rules he must either pay his dues immediately or be dropped from the rolls, I think it will be sufficient to collect these dues. I think that rule ought to be enforced.

TREASURER SALSBURY: Each member that receives a card has a copy of the by-law right on the back of each notification.

MR. MARTINDALE: That is not sufficient. I know that is on the back of the notification that the member gets, but frequently men lay aside these bills on their desk and they pay no attention to the notification on the back of their bill for dues. Now, if you will address a letter to them, and say, "Mr. So-and-So: You are so-many months delinquent in your dues to the State Bar Association, and your name will be dropped from the rolls unless you remit,"—you will get the dues.

TREASURER SALSBURY: If the Association will give us the authority and direct us to do so we will see whether we have got an Association to which the members belong or not, and we will see whether we can enforce the payment of dues, but to simply drop the membership as suggested, we would have no membership, but if an action is brought

to enforce the dues that have been delinquent for a number of years—and some pay up after they have been delinquent two or three or four years—why, we will see whether we cannot enforce that.

VICE-PRESIDENT MONTGOMERY: I think the motion made was not quite applicable to the point desired. The Treasurer has done his duty, and I think there is no further duty imposed under the by-laws. I therefore move that he be directed to send a notice to each delinquent member to the effect that he is delinquent and that if payment is not made within a reasonable time to be specified that the Board of Managers will execute the by-law and drop his name from the rolls.

MR. MARTINDALE: I accept the amendment.

SECRETARY BATCHELOR: As Mr. Martindale says, this by-law is self-executing. It was provided for the purpose of being self executing. The matter is in the hands of the Board of Managers. It has been the policy of the Board of Managers to drop all members of this Association who get in arrears in the sum of fifteen dollars. That has been the policy that we have adopted in the past, and as fast as they get to that amount their names are reported to the Board of Managers and they are dropped, but only after due notice has been given them that such course will be pursued.

TREASURER SALSURY: I will say further that after each meeting, in addition to the notice sent out to those that have forgotten to pay up, there is also a separate slip of the by-law put in calling their attention to it.

SECRETARY BATCHELOR: Your motion ought to be directed to the Board of Managers instead of to the Treasurer.

VICE-PRESIDENT MONTGOMERY: The Board of Managers may be substituted, but it seems to me in view of the considerable delinquencies that a special notice should be issued now instead of waiting for three years and let the Board of Managers exercise their discretion as to when they will enforce it, but we ought to collect some of these delinquent dues so we may invest them in Liberty Bonds.

(The motion was put to vote and carried.)

MR. SALSURY: Not as Treasurer, but as member of the Association, Mr. President, I move you that the Fee Schedule that was read this morning be adopted as the Fee Schedule of this Association. (Seconded.)

MR. SAMUEL PARKER: I rise to a point of order. I think it is entirely out of order to offer that proposition now, considering the disposition that was made of it this afternoon. Some of the members who had something to say upon that subject are gone. They are not here, and I make a point of order that it is not now an opportune or appropriate time to make such a motion. I make the further motion that it was laid on the table.

MR. SALSURY: I am not bringing up a committee report. I am making an original motion that this schedule of fees be adopted as the schedule of the State Bar Association. It is an original motion, not concerned with any report of the committee. It is a motion to the Bar Association.

MR. MARTINDALE: I move that the motion be laid upon the table. (Seconded and carried.)

There being no further business, the convention adjourned sine die.

PRESIDENT'S ADDRESS

What Shall Be Done With the Mob?

It is an historical fact, that the United States leads the world in the number of murders committed, human lives sacrificed and property destroyed by mob violence, and less respect shown for law and the administration of justice, than can be found elsewhere among enlightened, civilized and self-respecting nations.

Judge Monks, in his interesting and entertaining history of "Courts and Lawyers of Indiana," says: "The most enduring monument of any State is its system of laws. The fame a State has achieved and the rank it attains in civilization are determined more by its judicial system than by any one of its other institutions." And the Judge might have very appropriately added, a vigorous enforcement of its criminal laws against mobs and other lawless and vicious persons.

Is this statement of this eminent jurist true? And if so, do we as a nation measure up to the full stature of this "enduring monument"? Is the judicial system of this country all that it should be, and all that it might be, in the enforcement of its criminal laws for the protection of life and the security of property rights of its citizens? The average American citizen would answer yes. He is strong in his convictions that he is an integral part of the body politic, who are a liberty-loving, law-abiding and law-enforcing people; and that we are pre-eminently, and without reserve or qualification, an enlightened, civilized and cultured people, and to assert that a different condition of society exists,

and has existed for many years, would subject the offender to a charge of slander against the good name, fame and reputation of our common country.

But let us see how the accounts stand. There are grounds for the belief that no such happy and harmonious conditions exist in this free land of America. But, upon the contrary, lawlessness is rampant throughout the land, overleaping all restraint to an alarming extent, that exists in no other country inhabited by civilized human beings.

It is too true, that our boasted enforcement of law and order is not a universal sentiment, and proof of this fact may be found by the daily violations of the criminal statutes, and often whole communities join in inflicting the most savage, brutal and pitiless punishment on their helpless victims, without a hearing and often without a protest from the locality where these horrors are enacted, and their victims put to death with unspeakable torture and with open-shameless justification.

Statistics dealing with mob violence are extremely difficult to obtain. The census reports are not fruitful upon the subject, and information is meager indeed. Newspaper reports are not to be relied on as a source from which the real facts may be obtained. Local considerations most always influence a true statement of the events. Pride, the shame and humiliation attaching to the disgraceful and reprehensible violations, induce the localities where the outbreaks take place to minimize the stigma and infamy, which must rest upon the community where these outbreaks against law, order and good government occur.

This high court of judicature is governed by no law human or divine. The will of the mob is the code of procedure. The court is usually convened in some dark and

dismal chamber, or in the outskirts of the neighborhood of their victim, with guards stationed to see that no one approaches to interfere with their deliberations. The verdict is always guilty against the person to be murdered, and the judgment rendered is written in blood and carnage, and its decree is executed without mercy and without pity.

The jurisprudence of lawlessness has both its criminal and civil features, and one is as odious and as lawless as the other, and neither should find countenance in a civilized and law observing community. Both are an attack upon civil rights and free institutions. The length of this address will permit only a discussion of the criminal side of this mob court with its deeds of mangle, murder and crime.

In recent years the horrors of torture and the stake have been borrowed from the dark ages to add to the brutality of the terrible spectacle. It is impossible that the best or even a high type of civilization can be developed or, having already been developed, can long endure in a country where such atrocities are permitted, and, more alarming still, find their advocates and apologists among would-be decent and respectable people. It may be a trite statement, but it is as true as it is trite, that there is no safety beyond the "realms where rules of law unchallenged in serene and sublime majesty proclaim with the very voice of Deity, vengeance is mine, I will repay."

The first great fundamental right of every human being accused of crime, is a fair and impartial trial, and when that is denied, liberty dies, personal security perishes from the earth, and all human rights are sacrificed. Jefferson said, "It is more dangerous that even a guilty man should be punished without the forms of law than that he should escape." There is much need for the preaching of this doc-

trine. Not that there is anything particularly sacred or magical about the term law, but because it comports exactly with the best that all human government and civilized life afford. It matters not how heinous the crime or how guilty the criminal, this first great right of man *must be preserved*. It may, it is true, prove the means of escape sometimes for the guilty, but it is the only protection for the innocent. To those who ask, "If it be only necessary to deny, what will become of the guilty?" It may be fitly answered in the words of the great Roman Caesar, "If it be only necessary to accuse, what then will become of the innocent?" No, this inalienable right can not be justly denied. Apart from the crimes under consideration, there is nothing more revolting to the human heart than the punishment of the innocent. To prevent this, all constitutions and systems of law provide for the careful judicial investigation of all criminal accusations, but in spite of every possible precaution, it sometimes happens that an innocent man is convicted and punished. When an insensate and infuriated mob usurps and exercises the functions of the judiciary and arrogates to itself the right to mete out life or death, what safety then is there for the law abiding citizen, what protection for the innocent? How many guiltless men have been convicted and executed by lawless mobs can never be known, but certain it is that many more will be added to the number unless this evil and dangerous practice is soon arrested.

The outrage upon the rights of the individual accused is not all of the evil engendered and propagated by the resort to lynch law in such cases, with all its attendant horrors of torture and the stake. The wound inflicted upon the law and upon society is even deeper and more ghastly. The

flagrant violation and open defiance of law involved in these gross practices set all law and authority at naught. It degrades the courts, debases the administration of justice, brings judges, jurors, lawyers, all into disrepute, and strikes at the very root of all social order.

One of the most deplorable results of such open, violent and vicious infractions of the law, is their baleful and malignant educational influence. Apart from their evil results upon the formation of the character of the youth of the country, apart from the fact that men who have participated in such an execution have stained their hands with human gore, and will be all the more ready to share in other executions of like character, these men who have done this and have escaped punishment, and even heard themselves applauded for their dastardly and cowardly deeds, are apt to think that if they have in this case administered justice so much better than the court, they are able to do equally as well in all other cases, and that the courts of justice are mere useless survivals of an effete, decadent civilization which may as well be abolished or, at least, entirely ignored. Thus the road to anarchy is opened wide with the slimy, grim figure of the red specter grinning in the distance. In view of the utter fiendishness of the crime, some of us might be willing to waive those potent objections to lynch law if it were effective to prevent the crime; but it is not. Experience has clearly demonstrated that it has absolutely no deterrent effect.

Passing from a more academic consideration of these questions, let us pause and pass to a more unsavory part of the subject under consideration. Let us consider what this specter of horror presents, that has shocked the civilized world with its lynchings, its murders and its tragedies for

a century and more. After an examination of many reports, magazine articles, judicial findings and criminal statistics, we are confronted with the *blackest page in American history*. In the catalogue of lynching, both whites and blacks have suffered with a dreadful scourge. Some of the accusations against the lynched have been for dreadful crimes. Some of the charges against negroes have been trivial and commonplace, such as it would seem that the offense would hardly be noticed, such as slapping a child, vagrancy, insolence, etc., and many of these lynched victims suffered the most horrible torture before death relieved their agony.

From 1882 to 1903, inclusive, a period of 22 years, there were murdered by lynching in the United States 3,337 whites and blacks, making an average for each of said 22 years, 151 persons. In this catalogue of crime, the Southern States head the list with their 2,585 victims; the Western States next with their 932 victims, and the Eastern States with their 79 victims.

In this inventory of crime, for the above 22 years, Indiana has to her credit, or rather discredit, whites lynched 41, negroes 11, total 52. In the border States the account stands as follows: Ohio, whites 10, negroes 11, total 21. Illinois, whites 11, negroes 10, total 21. In Michigan, whites 7, negroes 1, total 8. In Kentucky, whites 64, negroes 103, total 167. It took Ohio with her 21 victims, Illinois with her 21 victims, and Michigan with her 8, to reach Indiana's 52, and yet, these three border States were short two victims to reach their sister State of Indiana, with her 52 murders. The Indianapolis News in an issue of its paper last January, is responsible for the statement that the murders committed in the City of Indianapolis and vicinity for the year 1917

showed an increase of murder over the year 1916 of one hundred per cent. A startling condition of affairs in the capital city of the State for the contemplation of all law abiding citizens. Kentucky is in line with the other Southern States. We might pursue this inquiry with reference to the balance of the States, and some of them with more ghastly figures—Mississippi in the lead with her 294 victims—but we have not the time to pursue these figures further. These must suffice.

No other civilized country in the world could present such a record of crime, and continue it from day to day, and from year to year. Is it possible that any country can long endure with such a record of crime? How this record for lawlessness in Indiana must mantle with shame the cheek of every citizen who believes in law, justice and fair dealing. And Illinois has blackened her fair name by the murderous assaults upon the citizens of East St. Louis, just a year ago, where whites and blacks to the number of 40 persons were shot down in the streets of that city, and many others perished in their burned dwellings, rather than submit themselves to the streets in that wild delirium of horror. Ten thousand blacks were driven from their homes without shelter and without food, and a million dollars worth of property laid in ashes.

Let us turn our heads from this disgraceful and sickening sight, to consider it a little further in its most scientific and accomplished form. It would seem that murder in these United States had been reduced to a fine art. In a further pursual of the subject we shall find nothing to ameliorate the record of crime that has just been presented to you.

Ex-President Taft, in an address before the Civic Forum

of New York City, in 1908, presents a doleful record of crime in this country.

Hear him. Says the ex-President: "And now what has been the result of the lax administration of criminal law in this country? The number of homicides one can note from the daily newspapers, the number of lynchings and the number of executions, but the number of indictments, trials, convictions, acquittals, or mistrials, it is hard to find. Since 1885, in the United States, there have been 131,951 murders and homicides, and there have been 2,286 executions. In 1885 (one year) the number of murders was 1,808. In 1904 it had increased 8,482. The number of executions in 1885 was 108. In 1904 it was 116. This startling increase in the number of murders and homicides as compared with the number of executions tells the story. As murder is on the increase, so are all offenses of the felony class, and there can be no doubt that they will continue to increase until the criminal laws are enforced with more certainty, more severity than they now are."

This statement, coming as it does from one of the most eminent lawyers in the United States, is worthy of high and serious consideration. But let us pursue this subject a little further, in confirmation of the above statement of the ex-President.

In 1912 the number of homicides (I use the word homicide as synonymous with murder), including manslaughter, in the United States, was 9,153; the number of executions for the same year was 145. In 1913 the number of homicides was 8,902, and the number of executions for the same year was 88. In 1914 the number of homicides was 8,251, and the number of executions for that year was 74. In 1915, the number of homicides grew to 9,230, with 119 executions.

This presents an unsavory record of crime and a weak and lax administration of the criminal laws for the protection of human life.

It must be apparent to every thinking person, that no nation can long endure such a record for crime. Sooner or later it must succumb and yield its power and government to anarchy and bloodshed, and become extinct as nations before it have perished, and have left to us a sad and sorrowful history to warn us of our approaching dissolution, ere our sun sinks to rise no more.

It was said in the beginning of this address that the United States leads the world in the number of murders committed, human lives sacrificed and property destroyed by mob violence, and less respect shown for law and the administration of justice, than can be found elsewhere among enlightened, civilized and self-respecting nations. This is a broad declaration, and there should be some evidence of the fact, if it be a fact.

Let us compare the record in the United States for murder and manslaughter, with the records as found in the criminal statistics of some of the European countries for the same crimes. In 1913 there were 111 murders and man-slaughters in England and Wales of persons over the age of one year, and 87 murders of infants of the age of one year or less. Of these 178 persons, 67 were brought to trial, there were 28 convictions and death sentences, 16 executions, 12 commutations to penal servitude for life, 5 of the accused found to be insane before trial, 17 were found guilty but insane, and 17 were acquitted. In 1913 and 1914 there were 136 man-slaughters, all of whom were brought to trial, 67 were convicted and sentenced.

In 1914 the number of murders and manslaughters in these two countries was 55 murders; 23 were convicted of murder and sentenced to death, 14 were executed, the sentences of 8 were commuted to penal servitude for life, and 12 were found guilty but insane. And the number of murders and manslaughters in our neighbor, the Dominion of Canada, is less than in England and Wales, and in no part of the British Empire is lynch law practiced or even heard of.

The Attorney-General of the United States, in a report to Congress in 1904, among other things, says:

"That in the last twelve years the number of homicides in this country has risen from four thousand to ten thousand—five hundred per cent., that is the number represented by the last figures in round numbers. One hundred were convicted of murder by the courts, and two hundred and forty were executed by lynch law. In some of the States this proportion is less, in others it stands three lynchings to one conviction for homicide and rape."

What a disgraceful and humiliating spectacle this record of the Attorney-General presents for the consideration of an enlightened and cultivated people.

The murder rate in the United States is from 10 to 12 times larger than in the British Empire and other European countries. Our murder death rate (excluding judicial convictions), for the period of 1909 to 1913, was 6.4 per 100,000 population. The rate in England and Wales, from 1904 to 1913 inclusive, was 0.6 for the same population. For Prussia, the same time and population, 2 per cent.; Austria, for the same time and population, 1.9 per cent.; for Italy, from 1908 to 1912, 3.6 per cent. for the same population. In other words, taking into account the

populations of these countries, for every 100 murders committed in the United States, there were committed in England and Wales 13; 30 in Austria; 31 in Prussia, and 36 in Italy. It admits of no argument that among the civilized nations the United States stands today in a deplorable condition with reference to the security of the person against the risk of homicidal death. And it would seem that the statement with reference to lawlessness in the United States when compared with other nations is well founded.

Lord Macaulay died in 1859. Two years before his death he made the following prophecy with reference to the future dangers awaiting this country on account of the lax administration of the courts in dealing with crime. Says the great essayist and historian:

"Either some Caesar or Napoleon will seize the reins of government with a strong hand, or your republic will be as fearfully plundered and laid waste by barbarians in the twentieth century as the Roman Empire was in the fifth, with this difference, the huns and vandals who ravaged the Roman Empire came from without, and that your huns and vandals will have been engendered within your country by your own institutions." These are prophetic words. Let us take heed and look to the condition of our country, and remember that we are living in the twentieth century, and that the huns and vandals engendered within us are making rapid progress in despoiling our fair land and its institutions, turning it into a theater of rapine, bloodshed and murder.

Justice Brewer, of the Supreme Court of the United States, says: "It may be regarded as a 'habit' of the American people. Scarcely a day passes that the people of some community have not, as it is said, taken the law into their

own hands." Consider the great jurist, a member of the Supreme Court of the United States, sitting at Washington, the court of last resort, calling murder a "habit." And yet, the condition of society in this country amply justified the statement.

But here let me digress a moment. I want to make my acknowledgments to Miss Esther McNitt, Miss Mary H. Roberts, assistant librarians in the Indiana State library; Mrs. Ida Bell-Barnett, of Chicago, and The Chicago Tribune, for their valuable assistance in enabling me to obtain the statistical information contained in this address. Miss McNitt and Miss Roberts are young ladies, efficient in their profession, accomplished and accommodating. Mrs. Barnett is a colored lady, well educated, and a forceful writer and a woman of remarkable force of character. She is the editor of the Crisis, a monthly periodical, the columns of which are devoted exclusively in the interest of her race, and she has done much good in teaching her people the principles of morality and the observance of law. The Chicago Tribune, and its reputation as a news gatherer, is too well known to require any commendation from me.

If, then, lynch law is an unmixed evil and utterly insufficient to prevent a repetition of the crime it punishes, why is it that it is tolerated and even approved and applauded in so many highly organized, highly civilized and thoroughly refined communities in our country? The question is pertinent, and it will be necessary to find the true answer before we can hope to discover the remedy. The ready answer of the apologist for lynch law is, that it requires the victim of the lynched brute to testify in open court to facts necessary for a conviction, which is simply to repeat the charge. In the case of a pure and modest woman this undoubtedly

is a powerful argument, but the men who string up the fiend in human shape, or riddle his body with bullets, or burn the cringing wretch at the stake, are not spurred to the fiendish action by any such considerations; such a logical argument comes in cooler moments as an after-thought. It is their overwhelming horror at the unspeakable fiendishness of the crime and their clear conviction that no punishment now provided by law is adequate to expiate it, that sends the red blood pulsating from the surging heart to the heated brain, there to cry aloud for vengeance, that brooks no delay and demands sure, swift, and sudden death as the only atonement.

Any remedy for lynching, to be effective, must remove all excuse for the crime, otherwise it will be merely a remedy only for symptoms of the malady, and foreordained to ignominious failure. The proof of certain brutal facts, now required by law, must be dispensed with, and the attempt, accompanied by actual personal violence, must constitute the crime. In the case of any pure and modest woman, the outrage to her feelings is completed by such an attempt, and the crime also should then be held to be completed.

The trial should be held in a private chamber, disconnected from the court chamber, and the accused, counsel and such persons only as the judge may admit to the hearing. The testimony, when taken, should be held inviolate, as is now done in certain divorce cases in some of the States in this Union. The publication of the proceedings in court should be prohibited by law under severe penalties. The trial should be speedy, and there should be no appeal. The judgment of the court should be instantly executed.

Attempts and personal violence that accompany them, vary so greatly with the circumstances and the persons in

the particular cases, that the jury should have the right to render a verdict with or without capital punishment. It is safe to say that they will always impose the death penalty in all proper cases. Where a verdict without capital punishment is rendered, the judge should have a large discretion in the imposition of the penalty, in order that he may be able to make the punishment fit the crime. But where the verdict is guilty with capital punishment, swift and inexorable death, in horrid form, should be the inevitable penalty. The crime stands alone in horror among all crimes, and its punishment, too, should stand alone in terror among all penalties. The convict should be executed in public by some form of death so supremely horrible as to strike terror even to the fiends themselves.

If it is not granted by law, the wild cry of vengeance of a people writhing in dumb, helpless agony, who will continue to be heard and heeded by the mob and administer justice according to their own will, and lawless executions will increase in number. The situation is daily becoming more unbearable, and we lawyers must end it, or cease boasting of our influence, duty and usefulness to society and civilization.

May God hasten the time when a better day shall dawn; when law, order and good government shall reign supreme, and every citizen in the broad land shall feel secure in life, person and property, with immunity from assault, outrage and violence.

But in dealing with the mob, let us consider this question a little further, and see what further remedy, if any, can be devised to abate the crimes perpetrated by it.

It has already been said that the mob feels secure against any punishment being inflicted upon it for its crimes by the

constituted authorities. The history of all trials of this character, amply justify this statement. It is apparent, therefore, if punishment is to be visited upon the mob, some change in the constitutional law and procedure must be made to meet the requirements. The constitutional provision, or the code of procedure, I apprehend of all the States, is to the effect that every person accused of crime, shall have a speedy trial by a jury of his peers in the country where the alleged offense is said to have been committed will, as it appears to me, have to be amended. This is necessary, because every jury coming from the country where the crime is alleged to have been committed, will in almost every case, render a verdict of not guilty. Public opinion demands such a verdict and the jury responds to the demand, at the sacrifice of both law and justice.

The proposed amendments should make mandatory that the place of trial of the mob should be removed from the place where the alleged crime is said to have been committed. The purpose of this amendment is not to secure a certain conviction of the mob, but to obtain a jury of fair, impartial and unprejudiced men who will protect alike the rights of the accused and the State, a thing demonstrably impossible under the existing order. The interests of the State and the behests of the social order imperatively demand this.

The trial judge and the prosecuting officers should not come from the territory where the offense is said to have been committed. Certainly not, if they are elective officers. The judge and officers constituting the court should be appointed by the executive, with the advice and approval of the law department of the State. Local sentiment is so strong and so indifferent to the impartial administration

of the law, that some unusual and extraordinary plan must be invoked in order to eliminate sympathy, and local or political pressure in the trial of the mob.

The venue should be determined by law. Possibly affidavits should be submitted by the prosecution, and on his failure or refusal to act in the matter, any citizen of the county should be authorized to make such affidavit, showing the necessity for such change. The executive of the State should determine to what county the case should go for trial, but in no case should the trial be had in the county in which it is alleged the offense was committed, nor in an adjoining county thereto, but should be removed a sufficient distance from said county to insure a faithful administration of justice and beyond local prejudice or adverse influence. The right to a speedy trial should be continued and preserved. But neither party should be forced unreasonably to go to trial.

These regulations should be supplemented with others looking to a less stringent rule of evidence on the part of the State. Whether the doctrine of reasonable doubt ought to prevail in the trial of the mob, or whether as in civil cases, a preponderance of evidence ought to be sufficient to warrant a jury in rendering a verdict of guilty, in my judgment is a question worthy of careful thought and due consideration. The purpose should be to give the accused a fair hearing certainly; but also to make the administration of justice in this extraordinary class of criminal trials reasonably certain, never very doubtful as now it certainly is.

In every case of lynching, a money judgment should go to the legal heirs of the victim against the county or municipality where the offense was committed.

The amount of the judgment should be fixed by law at a specific sum, say \$5,000, and should be obtained without much expense of litigation. It should be paid out of the State Treasury, and the State should be reimbursed by the county by a fund raised by taxation off the taxpayers of such county. Proof of lynching should be sufficient to warrant the court in entering judgment, the time and place of the offense accompanying such proof.

These suggested changes would, in my opinion, exert a marked influence with the citizens subject to taxation to pay such judgment, in favor of restraining the acts of the mob; and I think that a few convictions of the mob, followed by judgments against the county or municipality as the case might be, would certainly wipe out this stigma that now rests as a black spot on American jurisprudence, and place our common country in the class of law-abiding, law-enforcing nations of the earth. Something of this plan would make convictions possible, one of the strongest deterrents to the commission of crime.

The experience of the past makes some such change as herein indicated necessary. The probable danger of the future, makes some definite and positive action imperative.

I am not unmindful of the fact, that to change the practice of criminal procedure there must be a radical change of the criminal codes of most, if not all the States, with amendments of the organic laws. This would take time to accomplish. But the needed changes could be made, and the sooner we are about the business, the better for the safety of the citizen and the reputation of the nation.

It might be argued that such laws would be in contravention of the Constitution of the United States and the constitutions of the several States. But I answer that this

class of legislation has ample and sufficient authority for its support, as has been for many years held to be a proper subject of legislative power in England and many of the States of the Union. In England it was provided by the ancient law, that a person robbed had his remedy against any inhabitant of the hundred, the inhabitants being jointly and severally liable. The law was finally changed so as to give the right of action against the hundred. The principle upon which this legislation rests is, that every political subdivision of the State should be responsible for the public peace and the preservation of private property, and that this end could be best subserved by making each individual member of the community surety for the good behavior of his neighbor and that of each stranger temporarily sojourning among them. The effect was to make each citizen a detective and on the alert to prevent, as well as to detect and punish crime. It was evidently a police regulation, based upon grounds of public policy without regard to hardships it imposed on the public.

The constitutional right of a legislature to enact such laws under our form of government has been frequently challenged in courts of last resort, and my attention has been called to no case denying this authority.

This action was allowed in which millions of property, public and private, were destroyed in Pittsburgh and Allegheny City by the great railroad strike in 1877, and will be remembered by the older members of the bar as the "great railroad strike of 77," which was the most destructive of property by a mob ever known. Much litigation grew up out of the action of the mob. There existed at that time, and still exists, a statute in Pennsylvania, giving a right of action against the county or municipality for the

destruction of property by a mob. In the case of Allegheny County vs. Gibson, 90 Pa. St. 397, Gibson suffered a loss of property by the mob, and this action was brought by him under the Pennsylvania statute against the County of Allegheny. He had judgment below and the county appealed to the Supreme Court, judgment affirmed. Paxson Judge delivered the opinion of the court. The opinion is lengthy and exhaustive of the subject. In the course of the opinion, the eminent jurist uses this language, says he: "It may seem a harsh rule to hold a community responsible for the effects of a mob they had no power to prevent, yet not more so than to hold every inhabitant of the English hundred liable for a robbery of which he knew nothing. In both cases it is a police regulation. It is based upon the theory that with proper vigilance, the act might and ought to have been prevented. That this is true with mobs, as a general rule, is well known. A mob is always cowardly, and usually of slow growth. It increases in size and courage just in proportion as the authorities evince hesitation or timidity."

Again, in the course of the opinion, the court says: "The act of assembly has been carefully drawn, and is wise, just and beneficial in its character. If the act is always rigidly enforced when violated, the effect will be found highly beneficial. It requires no strain to bring the property in question within the letter and spirit of the act of 1841. On the contrary, it would require a wrenching of the law to hold that the act did not apply."

The case is cited by many courts of last resort, and held to be a sound disquisition of the law governing property destroyed by a mob. I here cite several cases from high authority in line with the Pennsylvania case above cited: Marion County vs. Lear, 108 Ill. 343; Association vs. Louns-

burg, 21 Ill. 511; Ely vs. The Board of Supervisors, 36 New York Court of Appeals 297; Underhill vs. City of Manchester, 45 N. H. 214; Williams vs. City of New Orleans, 23 La. Annual 507; City of Atchison vs. Twin, 9 Kansas 350; Inhabitants of Bristol, 65 Me. 426; Clear Lake Water Works Co. vs. County, 45 Cal. 90.

From the authority here cited, and the high character of the courts of last resort, it would seem that the authority of the legislative bodies in the several States was ample to enable the several States of the Union to enact such legislation as herein indicated, unless there should exist some constitutional restraint to prohibit their action.

I have examined the legislative power of many of the constitutions of the several States, and I have found in the constitution of no State, any provision that would restrain legislative power in the enactment of such laws as here suggested or of a similar character.

Section 1 of Article 4 of the constitution of Indiana, authorizes such legislation. In the case of LaFayette Railroad Co. vs. Geiger 34, Ind. 165, is authority for such legislation. To the same effect are Carr vs. State, 175 Ind. 241, and Hanley vs. State, 175 Ind. 345. I am not advised of any barrier to prevent what seems to me the needed legislation throughout the Union.

Hon. Merrill Moores, representative in Congress from this (the Indianapolis) district, a few weeks ago, introduced a bill in the House of Representatives declaring lynching murder, and conferring jurisdiction upon the federal judiciary to try and punish the offense. This bill if enacted into a law would be a dangerous precedent, and an invitation to become an arm of oppression in every State in this Union, and when once allowed, the die is cast, and the

federal judiciary may invade and dominate every crime and misdemeanor as well, committed within the State, and render the State judiciary powerless to act. And it is no argument to say that this bill only refers to the crime of lynching (if it does). When the right is given to the Federal judiciary to usurp the power that rests within the State, the independence of the State judiciary is gone—is prostrate, and one of the most sacred rights of the citizen is surrendered to return to him no more. If there is Federal authority for one crime, there is Federal authority for all crimes and misdemeanors, and the end has come. The States guard their rights and jurisdiction with a jealous eye, and it is well that they should. No invitation should ever be made to any part of the Federal Government to take part in the administration of any part of the State Government in which the States are supreme.

But at the very threshold, a serious constitutional question confronts this bill. Can Congress confer upon the Federal judiciary authority to try and punish murder committed within a State and as against the State? Section 16 of Article 3 defines the extent of Federal power and jurisdiction, as follows:

“The judicial power shall extend to all cases, in law and equity, arising under the constitution, the laws of the United States.” It may be contended that if Congress should pass a law giving Federal courts jurisdiction of lynching, which would be murder, that under the clause of the constitution “the laws of the United States,” that all that is required to confer jurisdiction, is to enact a law, which would be a law under the constitution. But hardly so. The constitutional provisions are not quite so broad, and I apprehend that no such liberal interpretation would

be placed upon them. If such were to be the construction, why not Congress pass a law conferring jurisdiction on Federal courts to try the crime of larceny, robbery, compounding felony, and misdemeanors as well. In fact, why not include all these crimes, and all others, in the Moores bill, and dispense with the State judiciary entirely, and when it becomes necessary to take an appeal, go to the Circuit Court of Appeals, or to the Supreme Court of the United States. It would be very convenient for litigants to pursue that kind of practice. And this would be the practical workings of the Moores bill if it should become a law.

But that is not the meaning of the clause of the constitution, such laws as are "arising under the constitution." Such laws as arise under the constitution, must be within the perview of the constitution and its authority to confer the right. If a murder were committed in Marion County, by a mob lynching some one, could the Federal judiciary be clothed with authority to try and punish the offenders? Such a law would not be a valid "law arising under the constitution." And I do not think that a law of that character would be acquiesced in by the people of the State. And I do not think that any court would hold such law valid.

The constitution provides for its own interpretation. Section 33 and 34 are as follows:

Section 33. "The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people."

Section 34. "The powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States or to the people."

It is clear, then, I think, that the States never surrendered or delegated to the Government of the United States, power or jurisdiction of crimes against the States, or the citizens thereof. Jurisdiction of crimes committed against the States existed long before the adoption of the Federal constitution, and in the adoption by the States of the Federal constitution, they did not surrender their jurisdiction or sovereignty over crimes committed against a State. And it seems clear that Congress can not clothe the Federal Judiciary with such power.

There is nothing in the constitution of Indiana fixing the venue of crime. But Section 1867, Burns Revised Statutes 1914, provides as follows:

"Every criminal action shall be tried publicly in the county where the offense shall have been committed." The Federal constitution provides that the defendant shall be tried in the district instead of the county. The district in Indiana covers 92 counties. How shall the accused enjoy a speedy trial in his own county, if he is to be carted off many miles to the seat of a Federal court? How is the accused to be tried by a jury in his own county if he is to be tried by a jury coming from every part of the State in the Federal court? How is he to obtain witnesses in his own favor from a distant part of the State, if he has no means to bring them? He may appeal to the court for aid to bring witnesses. But suppose such aid is denied, and he must go to trial without witnesses. In a majority of cases the defendant would be without witness for his defense, and it is quite apparent what must be the result of the trial. In the State court, his process will go to any part of the State, and bring his witnesses into court without an appeal to a Federal judge for money to bring them, and they must

come without money and without price. No such Federal interference was ever thought of at the time of the adoption of the constitution.

Mr. Moore's bill enacted into a law would be unwise and oppressive. The principle embodied therein was one of the chief causes that led to the revolution and fired the hearts of a nation of patriots. Jefferson, in the Declaration, charged King George with "transporting us beyond seas to be tried for pretended offenses." Mr. Moore's bill would transport us beyond our homes to a foreign jurisdiction, to be tried by strangers and among strangers, in a foreign land.

The jurisdiction of murder and all other offenses against the State, is within the State, and triable by the State judiciary and by it alone.

I have high authority for my opinion. In the case of the United States vs. Cruikshank, 92 U. S. 542, in which the powers and jurisdiction of the general government and the governments of the States, with reference to each other, are considered by the court in this case. The prosecution was for conspiracy and arose in the State of Louisiana. Chief Justice Waite delivered the opinion of the court. In the course of a lengthy opinion, the Chief Justice, on page 553, says, "The very highest duty of the States, when they entered into the Union under the constitution, was to protect all persons within their boundaries in the enjoyment of these 'unalienable rights with which they were endowed by their Creator.' Sovereignty, for this purpose, rests alone with the States. It is no more the duty or within the power of the United States to punish for a conspiracy, to falsely imprison or murder within a State, than it would be to punish for false imprisonment or murder itself."

Yes, says the Chief Justice, it is no more the duty or within the power of the United States to punish for a conspiracy to murder within the State, than it would be to punish for murder itself. It is not difficult to understand this language and the purport and force of it.

Again, says the Chief Justice, on page 555, "The equality of the rights of citizens is a principle of republicanism. Every republican government is in duty bound to protect all its citizens in the enjoyment of this principle, if within its power. *That duty was originally assumed by the States and it still remains there.*" If it still remains there to protect every citizen in these "unalienable rights," how could a Federal court usurp these rights assumed by the State, and guaranteed to them by the Government of the United States? It seems to me, that the question is not open for discussion.

I have not seen the Moores bill, and only know of it and its provisions from a brief commendation comment in the Indianapolis News, a few days after its introduction. But from the context of the bill as reported in the News comment, it is at variance with the letter and spirit of Section 30 of Article 6 of the Federal Constitution; Section 1867 of our statute; the Supreme Court of the United States and the genius and spirit of republican institutions.

To enact this bill into a Federal law, would be a dangerous precedent and the consequences flowing therefrom would be disastrous to the best interests of the State and her citizens. The bill should awaken interest in every citizen in America. It usurps the jurisdiction of the States; it strikes down the constitutional safeguards of the citizen, by dragging him to a foreign jurisdiction to be tried among strangers, in a court and by a jury foreign to his residence.

It strikes at the home and invades the fireside and hearthstone of every citizen in the land.

I would have you understand that I am making no personal attack upon Mr. Moores. I have known this gentleman for many years, and the most friendly and cordial relations exist between us. He is a good lawyer, a gentleman of high character and a pure patriot, and I have the highest respect for his ability and integrity, but I think he has not considered the evil consequences that would flow from a law of the character proposed. I have been discussing this bill in the light of the principles it involves, nothing more.

The lyncher should be punished. He is a most nefarious character, and his crimes deserve condign punishment. There needs some legislation upon the subject. The arm of the State is long enough and strong enough to deal with him and his crimes, and safeguard the citizens from violence and death.

I believe if some uniform legislation were had throughout the States along the lines herein indicated, this unwelcome and odious character would soon disappear, and the reputation of the State and our common country redeemed from violence, blood-shed and murder. In the language of the great Pennsylvania judge, such a law would be "wise, just and beneficial." The crime merits it, justice demands it, and the safety of society requires it, and the Governor should, in my judgment, lay the matter before the next General Assembly for its consideration.

Gentlemen of the State Bar Association, we represent the law of the land, that it may be enforced, not that vengeance may be done, but that the law may be administered and respected throughout the land. We represent social order, that there may be no violence. We represent personal

security, that every citizen in the republic shall be safe from personal violence. We represent justice, to see that right prevails over wrong, and that crime shall be punished. We represent the body of the people, to see that good government prevails, and that they stand panoplied by law, surrounded by order, and all who dare to lay violent hands upon them, shall receive the just punishment for their crimes. We represent the family circle, to see that it may be protected inviolate in its sacred precincts.

The great commoner, as he speaks to us today, as it were, from his tomb in Marshfield, declares that "The administration of justice is the greatest concern of man on earth." Let us see to it, then, that we do not fall below our duty to our country and our obligations to society.

Then let every patriot give his might, his influence and his power for the enforcement of law, the integrity and maintenance of the Union, the land of our fathers, the land of our birth, the land of our adoption, the land we love, and if needs be, for which we will die, that the republic may live, and bequeathe to our children, and our children's children, and the unborn generations that are to come after us and take our places, the blessings bequeathed to us, by that sacred band of patriotic heroes who gave us our liberties and established our independence and the priceless blessings that flow therefrom.

Then, let every lawyer in this God-given republic buckle on his armor, and assist in building up, completing and perpetrating the final triumph of these States, which the fathers of the republic decreed we should attain, as an inheritance for the land of "the free and the home of the brave" as long as generations come and go on the waves of time.

Americanism and War

BY CHARLES MARTINDALE, Indianapolis

A discussion of war, its causes, effect, and ethics, I venture to hope will not be deemed inappropriate in this presence at this time.

The formation of a sound public opinion upon these questions has been found essential to government in all ages and countries. This had been demonstrated nowhere more clearly than in Great Britain and the United States.

Public opinion in recent times is controlled largely by the press, but there is no body of citizens which as a class has a greater influence in guiding the great body of electors than the lawyers. This has been frequently remarked and in this country has been traditional since the Colonial era.

Under the stress of war, changes of deep significance in constitutional rights frequently occur with little note being taken of them at the time. They are submitted to from vital necessity of the hour. Property rights and even constitutional rights are then surrendered which are often never recovered. He would have been a bold prophet who four years ago would have prophesied the surrender to Federal control without protest of the transportation of the country, the fixing of the price of the products of the farm, the mine and the factory, the restraints upon the right of free speech and even the denial of the right of due process of law, to the extent to which it has taken place in this country in that period.

It has been pointed out that in time of war internal discipline becomes stronger. "Chiefs get more absolute power.

Laws become more stringent. Religious observances win greater authority. The whole societal system becomes more firmly integrated and power centralized. On the other hand when there is no close or powerful neighbor and little or no war, during long periods of peace, the internal organization remains lax and feeble. Chiefs have little power and sometimes the social systems seem scarcely to exist. The greatest historian of Dutch civilization tells us that the internal disintegration in the Netherlands was always greatest in times of truce or of peace and that the Germans of today owe their pre-eminence in industry and science to the fact that they are a highly disciplined nation." (Wm. Graham Sumner, "War," Yale publication.)

A Portuguese sociologist says that war is the living fountain from which flows the entire society. One of our most eminent social economists commenting on that statement says that if we fix our minds on the growth and organization of society this assertion is not exaggerated; that in spite of the countless miseries which follow in its train, it has probably been the highest stimulant to racial progress. "It is the most potent excitant to the faculties known. The great conquests have destroyed what was effete and opened up the way for what was viable." (Sumner, *supra*.)

The change in opinion as to the necessity and inevitability of war which has taken place in this country within the space of three years, is worthy of remark.

Three years ago the mental attitude of the people, as the result of fifty years of peace, was strongly pacifistic. The newspapers and magazines, with few exceptions, were preaching a weak and shameful pacificism. Here is a sample from one of our local newspapers:

"As far as morality is concerned, conditions in Europe

were about as bad before the outbreak of the war as they have been since, for the whole continent was controlled by the warlike spirit. What man has to do is to kill that. The question is one of living together as brethren without a thought of killing or injuring one another. * * * It is the taking of life rather than the losing of it that ought to shock us and it does shock us as never before simply because there is a growing realization of the truth of the Christian doctrine of the brotherhood of man."

In May, 1916, the President said:

"The example of America must be the example not merely of peace because it will not fight, but because peace is the healing and elevating influence of the world and strife is not. There is such a thing as a man being too proud to fight. There is such a thing as a nation being so right that it does not need to convince others by force that it is right."

It took him just three years to find out that "there is but one response possible for us—Force, force to the utmost, force without stint or limit, the righteous and triumphant force, which shall make the law of the world and cast every selfish dominion down in dust."

A gentleman who thought the war was 3,000 miles away finally had his eyes opened and now proclaims:

"We are fighting an adversary who has elected to make force the center of his political philosophy and belief; pure naked force. It is not the doctrine upon which a permanent and beautiful civilization can be built; but we accept that challenge as it has been made. There is no answer except cold, relentless, adequate force."

The pulpit of the country was asserting that war, even defensive, is contrary to Christianity, and this was asserted

after the war in Europe had commenced, by the then Secretary of State, in opposition to the military program proposed for national defense. At that time an eminent divine in this city stated to a respectable audience gathered to hear an appeal for foreign missions, that the European war was a great and serious blow to the Christian religion and that he must confess in humiliation and despair that religion had failed.

This attitude of the Christian hierarchy is not new.

From about the third century when the Christian religion was in its earliest formative state, there were monkish writers who attempted to place war under the condemnation of that religion and during all the centuries since that time there have been recurring efforts of this kind, yet, for twenty centuries the world has taken no heed of them.

There have been many who believe that the cause of war is subjective in the human race. That it is or is like unto original sin. That as a man becomes enlightened, refined, cultured, spiritualized, the subjective cause like an evil spirit will vanish so that universal love will permeate over the world and hate and strife will forever cease.

The mistake of these enthusiasts has been in failing to observe that religion does not act upon the mass. Its appeal is to the individual. It reacts upon society through the individual. This is one reason why it has not made a greater impression upon manners and customs. The wonder is not that it has made some but that it has not made more impression in 2,000 years.

This was pointed out by Arthur G. Benson, author of the Upton Letters, son of an Archbishop, in an interview in T. P.'s Weekly, in 1915, in which he said:

"The appeal of Christianity is primarily to the individual rather than to the mass and one of the reasons of its extraordinary secret growth and rapid development was the fact that at a time when the individual, the slave, the toiler, the poor man, was ruthlessly exploited by the wealthy ruling class, Christianity restored to each man, however mean, and down-trodden, his sense of dignity and significance, by telling him that he was dear to God and that what he did, thought and said, in the truest sense, mattered. The preachers of Christianity should not begin by treating men collectively."

In the long and toilsome road of the human race toward civilization, whenever theology has stood in the way of economical development, it has been swept aside. No faith, no dogma, no terror of excommunication and everlasting punishment have been strong enough to stand in the path of a great people seeking their physical development and national destiny. It is cheap and vulgar to charge all the injustice of our social systems, the crimes and vices of humanity to a failure of religion. On the other hand, it is worse than stupidity for religionists to blink the actual conditions of this world and insist upon their spiritual figs from economic thistles.

The present war proves nothing as to the failure of religion because war is not subjective in the mind. Religion is proving to millions of men on the battlefields its value as a sustaining power in time of sore trouble. Many a poor lad in the trenches of the allies feels the scapular on his breast put there by his old village priest, and takes courage, while out of the German trenches rolls the grand old hymn, "Ein Feste Burg ist Unser Gott."

The Kaiser claims a special property in God as confidently as the allies, and the outcome will demonstrate, as usual, that "God is on the side of the heaviest battalions."

The much exploited brotherhood of man has had a shocking answer in this war. The idea of international brotherhood and the growth of internationalism has been rudely interrupted. Much of this talk, principally from socialists, was a mere cloak for class feeling and supposition that there was some kinship between the proletariat of all countries.

The Russian Bolshevik has been revealed as incapable of understanding popular government, and appreciation of the obligation of treaties.

The application of religion to morals has always been imperfect, and the standards of ethics in statecraft have never successfully applied Christian dogma. They do not belong to the same realm.

We live in a dual existence—partly subjective and spiritual, but principally objective and physical. As life itself is physical and objective, so the very terms of existence bind us first of all to devote our minds and our bodies to the finding of food and raiment.

Voltaire said: "France rules the land, England the sea, Germany the clouds." That was when the people of Germany were absorbed in the ideal and the intellectual, in the age of Kant and Goethe. Later, after the crushing defeats by Napoleon they began to appreciate that if they would exist as a nation they must take account of the actual and then it was that their philosophy and national life took on the cast of cold-blooded predatory cynicism.

William Graham Sumner, regarded as one of the most eminent of social economists of his day, asserts that it is

the competition of life which makes war and that is why war has always existed and always will. It is in the conditions of human existence.

Dr. William Ridgeway, professor of archeology at Cambridge University, in the London Press in May, 1915, said:

"Here, facts seen from a scientific viewpoint indicate that the present war is only the first of a long series. The earth's waste places are getting filled up and these wars are part of evolutionary struggles for existence and not the result of mere kingly ambition."

Professor Guglielmo Ferrero, the Italian historian, in February, 1916, published a series of syndicated articles on the European war, in which he first assembled the statistics upon the density of population in Europe, the countries standing in the order: Belgium, England, Germany, Austro-Hungary, France.

He assembled also the statistics in relation to the production of iron and steel, because he says:

"Iron is the principal metal and it is not possible for a nation to be a great industrial, mercantile or military power without being at the same time a great metallurgic power. Iron is the metal by which man creates, keeps and extends empires."

Here are his figures of the production of iron of five countries by decades since 1860:

Great Britain	3,500,000 tons
France	1,000,000 tons
United States	800,000 tons
Germany	700,000 tons
Belgium	300,000 tons

In 1870 the order and ratio changed; the production then was:

Great Britain	6,050,000 tons
United States	1,700,000 tons
Germany	1,400,000 tons
France	1,200,000 tons
Belgium	630,000 tons

In 1880 again the ratio changed; it then stood:

Great Britain	7,800,000 tons
United States	4,000,000 tons
Germany	2,800,000 tons
France	1,700,000 tons
Belgium	700,000 tons

In 1890 the United States had taken first place with an output of 9,000,000 tons, and Germany had advanced its output to 4,500,000 tons.

In 1910 the production stood:

United States	27,700,000 tons
Germany	14,800,000 tons
Great Britain	10,200,000 tons
France	4,000,000 tons

He said: "From 1870 on, Germany has produced in the world a kind of aggressive economic imperialism that has damaged in Europe a great number of industries and businesses. Whenever it has been able to do so it has tried to control industries in such a way as to be able to impose upon the greatest number of foreign countries her prices, her methods and her way of doing business."

This economic war by Germany began with her annexation at the close of the Franco-Prussian war of what were then supposed to be the only valuable iron-ore measures of Loraine. This district, less than one quarter of a mile in width, contains ores that run 40 to 50 per cent. pure. West of this strip the ores contain phosphor and lime and at that

time were supposed to be unworkable. Since that time the developments in iron treatment have made these ores as valuable as the ores of the annexed Thionville district.

Germany was not content to convert this ore into iron but quickly saw the economic advantage of selling it in the form of steel, a more finished product, which required more labor and the employment of German hands.

As early as 1879 she established the German Kartel which embodies some of the principles of the American Trust, but improves upon the latter by eliminating home competition and syndicalizing foreign trade.

Through this system she stimulated production regardless of home consumption, thus reducing her production cost and dumped the excess over home demand into the foreign markets regardless of cost. The cost of production of structural steel in Germany ran over \$20.40 to \$24.80 a ton, which sold in Germany at \$31.20 per ton; in Switzerland at \$28.80 to \$30; in English markets at \$24.72 to \$26.40, and in Italy as low as \$18.

In 1912 from the Westphalian Kartel the German manufacturer received for each ton of export goods a premium of \$1.50 for iron, \$3.60 for steel and from \$2.80 to \$4 for finished products.

From 1895 to 1913, American imports of implements into France averaged about \$1,000,000 annually, while the German imports increased from two million to eight million.

Our imports of machinery into France during the same period increased from one million dollars to about nine million dollars, while at the same time German imports of machinery into France increased from three million to twenty-eight million. No restrictions were placed upon this German policy by France, Great Britain, United States

or Russia. In this country the only check was a duty upon structural steel and rails, which obstacle to German aggressiveness met with much severe denunciation here at home from a great political group. Such duties as were imposed on fine steel articles were not sufficient to check the flooding of the markets of this country to the detriment of the industry of producing that class of steel.

But there was an economic penalty to this German exploitation. In 1913 she required 43,000,000 tons of ore of which she was obliged to import fifteen million tons. Of the twenty-eight million tons of her iron ores, 75 per cent. came from the Thionville strip. To secure the permanency of her industrial system the French ore measures of Longwy-Briey and of Belgium were indispensable. The economists of Germany were not oblivious to the fact of the increase of protection sentiment in England and America to obstruct her economic policy.

The Berlin-Bagdad Railway to a new Asiatic outlet failed and the Balkan explosion in 1912 threatened interruption of her road to new markets. Serbia blocked her path. Prospective curtailment of markets for her enormous industrial production threatened for the future serious internal disorder. Conquest of ore measures of France and Belgium and domination of the Asiatic and Russian markets seemed to furnish the only solution of the dilemma. Added to the economic pressure for conquest was undoubtedly the dynastic consideration—the preservation and perpetuation of the Hohenzollern domination. Naboth's vineyard looked good.

Easy it is to read this now from the writings of German economists and military leaders. Where, during those years, were the leaders of France, Great Britain and the

United States, who should have been forming public opinion of the threatened catastrophe, in preparation for 40 years, and which found these countries with scarcely anything but bare hands to resist the terrific blow?

France, by reason of her history and tradition, kept up a military force scarcely sufficient to stem the onset, but in Great Britain and the United States, the jealousy of military strength persistently prevented preparation.

In Great Britain, Lord Salisbury, in 1885, and later Lord Roberts, after the Boer War, sounded the alarm, but both of these preeminent men were denounced by the Liberal party as disturbers of the peace.

In 1908 it was impossible to secure a Navy program from the Congress of more than two battleships per year, and any proposal for an increase of military force met with overwhelming defeat.

It is interesting to note how oblivious were the leading men of Great Britain to an obvious peril.

In the recently published recollections of John Viscount Morley this is very clearly manifest. Wholly without regard to the German threat, in 1907, during the political agitation growing out of the conflict with the Transvaal, which upset parties in England, Morley delivered a discourse on Machiavelli, his object being to trace a parallelism between the attitude of Great Britain toward the Boers and the principles set forth by Machiavelli.

Speaking of that epoch he says:

"If ever there was a moment it was this for considering a little whether a state is bound to use moral means only for upholding its life and its freedom; whether it is the ruling business to save the State whatever the cost of standing notions of right and wrong. Is the safety of the State

the highest law? Are we to make a division between higher ethics and lower—the first for States in their dealing with one another, the second for individuals? Is reference to moral standards in the business of public safety as little to the point as it would be in the launching of a dreadnought? Is the ruler of a State to be bound by a moral code from which his soldiers are inevitably set free?"

These were the questions brought to the front through his lecture and which became the text for an elaborate discussion in the British press. Morley concluded his address with a statement that Machiavellism is a strong contemporary and abiding influence "because energy, force, will, violence, still keep alive in the world their resistance to the control of justice and conscience, humanity and right."

Professor J. A. Symonds says of Machiavelli:

"When we have once freed ourselves from the antipathy engendered by his severance of ethics from the field of politics, nothing is left but admiration of his mental attitude—'That is the attitude of a patriot who saw with open eyes the ruin of his country, who burned above all things to save Italy and set her in her place among the powerful nations, who held the duty of self-sacrifice in the most absolute sense, whose very limitations and mistakes were due to an absorbing passion for the state he dreamed might be reconstituted.' Concentrating his attention on the one necessity for organizing a powerful coherent nation he forgot that men are more than political beings. He neglected religion or regarded it as a part of the state machinery. He was by no means indifferent to private virtue, which indeed he judged the basis of all healthy national existence; but in

the realm of politics he postponed morals to political expediency."

"We regret his unqualified inculcation of the doctrine that means are justified by ends—a doctrine rendered odious by Jesuitry to the modern mind and incompatible with any sound science of humanity. We know that ethics cannot be severed as he severed them from politics, that though national differs from private duty both are based upon the same immutable principles; that the former tends with the growth of the race, to approach ever more nearly to the latter; and that it is the function of the political philosopher to keep this steadily in view. We have learned to regard nations not merely as materials to be moulded by a lawgiver, but as total organisms, which, however modified by men of genius, obey their own laws of evolution."

Greenwood took up the debate with Morley and stating the question thus: "Given a sound, settled, well-ordered, ambitious-of-good community, how are you to secure it?" and supported Machiavelli's answer to the question, thus:

"Be strong to smite, ready to smite, and swift and willing to smite. Learn to be crafty in approach, finished in address; unsparing in defense and attack. In brief, the advice of the lion to the fox, the fox to the lion * * * if nothing else will serve to preserve the existence of your state in freedom you may do anything that a wild animal will do—knowing nothing of God or devil or sentiment or morals or any sort of point d'honneur—for his life and liberty, and you may do anything that a wild animal would do if he had a finer cunning and no more conscience."

Machiavelli held that too much regard for scruples, weakness and indecision were the cardinal sins in dealing with

international affairs, and that morality in such matters was either hypocrisy or weakness.

Professor Pasquale Villari who has written the standard biography of Machiavelli came into the controversy and argued that all must depend upon the application of your ethical principles to the cause for action. He admitted that to determine the way and how far, is uncommonly hard, nay it is often impossible to do it with anything like precision.

He illustrates it thus:

"To tell a lie is wrong; the honest man should hold faithfully to the truth. But when the national war broke out in Lombardy, if an Austrian officer had asked a peasant the whereabouts of the Italian Army and the peasant had given a true answer with loss or ruin resulting to his country, and another peasant by telling a lie had saved his country which, in these two cases would have been the better morality, the truth or the falsehood?" The soldier who pretends to be a deserter and by cheating the enemy at the risk of his life there studies his positions and tells his own side what he has seen,—is that culpable?" "No," Villari says. But if he revealed to the enemy the position of his own force, then he would get absolution neither in Heaven nor on earth."

He asserts that men could not be free and civilized without the state and its preservation at all costs must be every man's concern. More than his own moral law it is his concern to save morality for all.

He cites a Venetian of earlier date than Machiavelli who insisted that the "Council of Ten for War" should always be composed of persons who loved their country better than their souls "because it is impossible to regulate govern-

ments and states according to the precepts of Christian law."

Morley sums up the discussion by quoting Bishop Butler in a sermon which he preached to the House of Lords in 1741 on the anniversary of the martyrdom of Charles I.

Butler said:

"Tyranny and faction and unjust wars and persecution by which the earth has been laid waste; all this has all along been carried on with pretenses of truth, right and general good. So it is men cannot find it in their heart to join any such things without such honest words to be the bond of union though they know among themselves that they are only words and often though they know that everybody else knows it too."

Morley was so intent upon ethics that he missed the big fact in Machiavelli.

The great life work of Machiavelli, though he failed at it, was to convince his people of the inexpediency of relying upon mercenary troops and to build up a citizen soldiery or militia for Florence to defend the Republic and unite Italy as one great power.

The armies of Germany, France and Japan are built upon the model he prepared. Of all the nations, Germany has been the only one to adopt in all its vigor the political principles of "The Prince." Her declaration that treaties are but scraps of paper in the face of political necessity, is worthy of her adopted master.

The amazing fact is this: Here were these leaders of British public opinion indulging in an academic symposium on the ethics of statecraft and war when right at their doorsteps the enemy was plotting their destruction and they

were opposing as Ministers of State any step toward preparation.

Here are some of the statements of German philosophers:

The first is from Hegel:

"Not only must the State be obeyed, it must be venerated as a god." "Success insured by might is the measure of right."

Treitschke says:

"Weak nations have no right to existence, and must be absorbed by powerful nations." "The essence of a State is power. Nothing exists or can exist which is superior to the State."

Again, Adolphus Lasses declares:

"The State can do no wrong." "The observance of treaties is not a matter of duty, but advantage."

And Von Bernhardi says:

"Love God above all things, and thy neighbor as thyself." This law can claim no significance for the relations of one country to another." "There have never been and never will be universal rights of men."

Houston Chamberlain says:

"Militarism is the indispensable instrument of German culture; it builds its brightest hopes of supremacy on the extermination of others."

And Nietche says:

"Morality is a symptom of decadence." "War is as necessary to the State as slavery is to society." "Might is the source of right." "There is no right other than that of theft, usurpation, and violence."

When this war ends, how are we to make peace with that philosophy? How are we to solemnly execute treaties which are but scraps of paper to be torn into fragments

when the moment comes for fresh aggressions? Can there ever be peace in such a world? And in the presence of a power holding such a philosophy and having established a hegemony over all Europe and a large part of Asia, to make peace with such a power is but to play the game of a monstrous adversary.

Consider for a moment our own situation; with more than a hundred millions of population we have built up a highly industrial organization. From this industrial organization we cannot, if we would, retreat. Our civilization is based upon it and it has been systematized to the highest degree. It has inspired the envy of the whole world, not perhaps for what it has achieved, but for the vigor of its movement and the potentialities of its growth. Millions of our population are dependent upon this industrial system for food and shelter. Millions of them do not and cannot look beyond their weekly wage or monthly payrolls for any defense against starvation. Every duty of honor, of humanity, of patriotism, obligates us to uphold this industrial system, advance its interests and seek for it new outlets for its necessary surplus.

In 1914, after the declaration of war between England and Germany, when commerce raiders were loose in the Atlantic, all foreign transportation was stopped. The effect was a shock to this nation's industry and commerce. Railroad transportation was dammed up from the Atlantic seaboard to the Pacific. Our factories were shut down. Our artisans were in the bread-line. In the winter of 1914-1915, we were running municipal shelters and soup-houses. We were having "bundle-days" and charity performances. There immediately arose the suggestion to buy Government-owned ships to carry our products to blockaded ports,

because the number of American bottoms was negligible and English and German ships which had carried the bulk of our exports were tied up in port.

We were suggesting the valorization or Government loans on cotton and copper. All of these expedients were wild suggestions born of the panic of domestic disorganization, to alleviate distress and prevent hunger. If an embargo became long continued millions of our workers would be starving in the midst of plenty.

The non-intercourse and embargo acts passed by the Congress previous to the year 1812, injured our people more than Europe and finally produced in this country an overwhelming popular sentiment for war, which followed.

Wages and food for our millions depend upon continuous employment. Employment and a high wage rate depend upon the maximum out-put to cover the high wage rate and the overhead expense. Maximum output means a surplus over domestic absorption, and this imperatively demands exportation.

The first President of this Bar Association, more than twenty years ago, stated the case thus:

"I cannot help but feel that, in a country like ours, where our social security and the good order of our communities depend upon a well-conditioned and well-disposed laboring people, and where the defense of our flag and our institutions depends upon the strong arm and patriotic hearts of our workingmen—I cannot help but feel that it would be a disaster to bring in a condition of wages in the country so low that hope would go out of the heart of the man who toils in the mill. Unless there is hope in the heart, some promise of better things, some margin of comfort, some ladder for the feet of his children to climb to heights that

he had not attained; unless these things are in the heart you may expect anarchy to increase and social disorders."

If perish we must, whether it is better to perish in external wars for foreign markets, or to perish by domestic anarchy? There is the dilemma. But the choice as to foreign war does not altogether lie in our hands. We have seen it forced upon us by an aggressive power—a power with which a peace is but a truce, a breathing spell for recuperation for fresh attack.

Leagues to enforce peace are an idle dream with Germany dominating most of Europe and a large part of Asia and Africa. Such a confrontation permits nothing but a continuation of the present alliance for mutual protection.

Here is Germany's conception of a League to Enforce Peace:

In May, 1918, the Influential *Suddeutsche Monatsheft* devotes nearly the whole of its current issue to warnings against "German dreamers." The principal articles are contributed by university professors. The London Times gives a number of illuminating extracts from one of these articles by Professor Spahn, of Strassburg university, in which he says that if Germany consents to any league of nations she must lead it.

"The need of the present hour," Professor Spahn adds, "is not yet universal peace and rule of law and freedom of peoples, but clearness about vital conditions of the German people as a state and about the full development of our own state of existence. If the dream of the unity of the European peoples is to become a reality, it can not be based upon the equality of all.

"Peoples are made for equality just as little as are individuals. Unity must be based upon the leadership of the

most efficient people. Only a race as full of idealism as the German is capable of lighting the heroism of humanity with an idea so great and eternal."

Professor Ernst Haeckel, of the University of Jena, warns Germans against Utopian imagination in regard to peace. He refers to the reichstag's peace resolution of last year as infamous.

Dr. Wilhelm Sundt, professor of philosophy at the University of Leipsic, says there can no longer be any question of a "renunciation peace."

Professor Johannes Reinke, of Kiel University, declares the history of the world shows that only by power has peace been won; power able to impress the enemy by force of arms. He cites the Brest-Litovsk peace as the latest example of this, adding:

"The proper maxim for us is to exact from the situation as much material advantage as the military position permits."

Commenting on these views, the Times says they show how very far Germany is from the contemplation of any settlement compatible with the first elementary principles of the allies and the United States, and hence that "the trial of strength thus forced upon us will have to be fought out by sea and land."

In the presence of that revelation, with the memory of our dead in Flanders, are we to revert to the prewar state of defenselessness and pacificism? If we are to arm ourselves for the future is it not better to have a citizen soldiery than to depend upon a hired soldiery? Shall we have equality of service as well as equality of taxation? Shall the son of the poor man for lack of better employment fight

our battles for pay, or shall the sons of the rich and poor alike serve their country and pay their debt to liberty?

More than two years before his Gettysburg address, Lincoln said to John Hay:

"I consider the central idea pervading this struggle is the necessity that is upon us of proving that popular government is not an absurdity. Taking the popular government as we find it we will see if the majority can preserve it."

Popular government is based upon two foundation principles. The first, easily understood, is popular sovereignty. The second, often lost sight of, is the reign of law. Popular government without the reign of law is nothing but mob government. Its direct fruits have been so strikingly illustrated in Russia within the last year that no argument is needed to enforce the lesson.

The one thing that has made popular government so far a success in this country and in England has been the traditional respect for law in the Anglo-Saxon race. Without this strong anchor the experiment would long ago have failed.

The reign of law includes the respect for property rights. Socialistic invectives against capitalism are idle and vain. Karl Marx and the socialist gods have been slaughtered in the house of their friends. The Russian workmen took possession of the factories on socialistic principles, without capital, without credit, without expert knowledge of the industries. As soon as the material on hand was exhausted there was no means of getting other material. There was no way to market the output. The machines stopped, and then they began to endeavor to hire back the men they had driven away, to operate these industries. The workmen

were thrown out of employment and were starving. The factories will be reopened by capitalism. The workmen will be employed and fed, but it will be under the German drill-master.

The first law of nature as to individuals is self-preservation. Any form of government, however high its ethics, which cannot preserve itself, is a failure.

The highest purpose of government is the common welfare and the national defense. These are the high and the main objects of government. If government fails in these objects, it is worthless. It has not stood the supreme test. If we are to succeed in proving that popular government is not an absurdity we must have in this country a strong national will and purpose. The people of this Government must be for America *first, always and only*. The form of government which other nations may choose is none of our business. Internationalism and altruistic sentiments must be crushed out. The great and over-mastering purpose of self-preservation by means of national defense must rise supreme and must tolerate no divided allegiance.

America first, America victorious, American interests, American welfare, American people well employed, well paid, well fed, loyal and true, is the one and supreme aim, else popular government is an absurdity.

Why should Americans feel that they have some special right to peace, when in all the world from the earliest times of recorded history no nation has ever long survived without war or maintained its national character in peace?

Pacifism is a cancer which unless cut out destroys national independence. As long as force survives as a power in the world no nation which has not adequately equipped itself with force to repel aggression will long survive.

Pacifism is a vice, a weakness. It may amount to treason. Whether clothed with sophistical phrases as a philosophy or hidden among the insidious cant phrases of a religion, it must be stamped out or the national character is lost. If it must be preached in our churches, let it be relegated to the place where it belongs—to eschatology.

When the United States shall have proved to the world that she is invincible and always ready, she may reasonably expect to be immune from attack, not otherwise. If she remain in the future as in the past, rich and unarmed, she will play the role of the yokel at the State Fair who counts his money in the presence of pickpockets.

Universal military service is the only guaranty of national defense. It is democratic because equal and representative. It is the militia made ready at all times. The sea and the air must be guarded as well as the land. Our merchant fleet must be the greatest because our commerce is and will be the greatest. Our navy must be the greatest on the seven seas. Greatness carries with it proportional burdens and obligations. To acquire demands effort; to hold requires greater effort. The unceasing, ever accelerating movement of the world allows no time for rest or slumber to nations. We must march at the head of the procession or fall out and go to the rear. As a nation we must stand on our own legs, independent and free to compel the accomplishment of our own destiny. Treaties are but flags of truce. Permanency of treaty arrangement is inconsistent with world movement and world development. The alliances of the present war will very probably not be the alliances after the war.

Put not your faith in princes.

We are fortunately placed to defend and hold our own. Friendly with all nations as far as consistent with self-respect, we must at all times possess the means to compel respect.

America first, America in arms, one nation, one will, to uphold the holiest symbol on earth—our country's flag.

“The Movement for Uniform State Legislation”

By LEX J. KIRKPATRICK, Kokomo, Indiana

Fellow Members of the Indiana State Bar Association.

Gentlemen: The subject of uniform State laws is in harmony with the general demand for efficiency, and standardization of the present age.

Our government is based upon the legal proposition that all local and domestic subjects should be controlled by the State, while all matters of national character, should be controlled by the National Government. The inherent powers of the State government, have been reserved to the State, except as delegated to the Federal Government. Under this provision, the original thirteen States began their career with a wide diversity of laws. Men in those primitive days lived in comparative isolation. At that time there was but little necessity for uniformity of State laws. There was but little commercial or social intercourse. This country then had not been quickened to new life and higher inspirations by the application of steam to transportation, manufacturing and commercial life. The uses of electricity, telegraph and telephone were unknown. Each neighborhood then formed a little industrial and social world of its own. The people were engaged in a fierce struggle to establish and maintain their independence as well as to provide the necessities of life. Many years later it required as much as six months to travel from the Atlantic to the Pacific coast. There was no means of communication between distant communities. The people had no time or necessity to

study the subject of uniform State laws. It has been well said that "Intercourse is the soul of progress."

The application of steam to transportation and manufacturing industries resulted in a general awakening of the people to the possibilities of the new world in which they had sought refuge for human liberties. With the advent of these modern conveniences, different communities were brought into closer relationship, and later with the advent of the application of electricity to telephone and telegraph, not only our own country, but the civilized world has become as one community, and the man in New York City has become a neighbor to his brother in San Francisco, as well as to those in foreign lands. Now it is a matter of only some three days to be transported with ease and comfort across our continent, and before the power of autocracy was felt in the free use of the seas, less than a week was required to make the journey in safety from New York to London. Now our facilities of communication through wireless telegraphy are so rapid that we hear the result of the firing of the long range guns in France almost before the echo of the shock has ceased.

I briefly call your attention to this wonderful transformation in the industrial and social world, in order that we may, if possible, more fully understand the importance of the subject of this paper.

Every observer knows that in electrical and mechanical engineering the trend and great efforts of the engineers, through their associations, is "Standardization." The success of the "Liberty Motor," which we feel will be a powerful factor in favor of this country and our allies in winning the "World War," is due to this principle. The various parts of this motor are so standardized that they may

be manufactured in different factories in remote parts of the United States, and sent to one factory to be assembled and installed as a common unit, thus reaching the highest degree of efficiency.

In the commercial world, no argument is necessary to show the importance of uniformity. Many years ago, through my own City of Kokomo, there was constructed, equipped and for a few years operated, a narrow gauge railroad from the City of Toledo to the City of St. Louis. It was soon found that this was not practical, as a narrow gauge railroad could not transfer its rolling stock to the standard gauge roads. After a waste of millions of dollars, the gauge of the roads of this country, with the exception of a few roads in the mountains, were standardized. The gauge was not so much the question; economical and efficient operation was desired by the railroad operators, as well as by the people at large. The result was uniformity of gauge and equipment; the diversified system was inconvenient and expensive, although it was possible to operate.

In the various States of this union of forty-eight States, there is as wide a diversity of statutory law, and the interpretation thereof by our courts, as formerly existed in the gauge of railroads. In the matter of diversity of language, we now realize, as never before, the necessity of uniformity in language. Our Government is now urging that every man and woman in this country who does not speak the English language, should be taught, and, as a matter of efficiency, it is insisted that the English language ought to be taught not only in our public schools, but in our shops and business houses, when necessary. It is also urged that the educational authorities start language classes in the

factories for those who do not understand English, and who are unable to attend school.

It is understood by every one who employs a large number of laborers in the various activities in this country that efficiency greatly increases with uniformity of language and that the English language is the one that promotes the greatest degree of efficiency, and at the same time tends to the Americanization of the various classes of our citizenship.

All lawyers who have given special attention to the public utility laws of the various States, wherein Public Service Commissions have been provided for, whether under the name of "Public Service Commission," "Corporation Commission," "Railroad Commission," "Public Utility Commission," "State Corporation Commission," or whatever name may have been adopted for the commission by the individual State, recognize the value of uniformity in public service laws in the various States, as well as substantial uniformity in the rules of practice before the commissions of the various States. This uniformity also tends to increase the value of the securities in the various States, possessing public service commissions, and saves the counsel who examines and passes upon such securities a vast amount of labor.

The rule of State statutory law, on most subjects, changes as often as we cross the State line. This fact does not make it impossible to obey the law, but it does make it inconvenient, costly and difficult.

While we fully realize that standardization has supplanted diversity in the industrial world, and thus adds immensely to the efficiency of our manufacturing and commercial activities, I fear that as lawyers and law makers,

we have not applied to our State the vital principle that has revolutionized the commercial and social world.

Federal legislation necessarily applies alike to every State in the Union. It knows no State boundaries. Uniformity in all State laws would be neither practical nor desirable; local conditions in each State call for local laws. When we advocate uniform legislation and judicial decisions, we refer only to laws of general concern. The principle of uniformity, when thus applied, will in no wise destroy or effect the individuality of the State. If any uniform law proves unsatisfactory to any State, it is within the province of the Legislature to amend or repeal the same. The demand, however, in this respect, would be negligible on account of the great care exercised in the preparation and enacting such uniform statutes.

We have in recent years heard considerable complaint on account of the law's delay and uncertainty. This is due, largely, to the fact of the diversity of the law, which necessarily leads to litigation and useless expense and delay. Uniformity of legislation by our various States and uniformity of interpretation by judicial construction, go hand in hand, and thus tend to relieve the busy lawyer, as well as the litigant, of the mass of conflicting decisions upon the same subject matter in the different States.

A uniform law contains and provides that "This act shall be so interpreted and construed as to effectuate its general purpose and make uniform the law of those States which enact it."

Under this provision the courts search the decisions of courts of other States, under such statute, and apply the same in determining the questions involved, and thus it would not be long until uniformity in judicial construction

will prevail in regard to uniform statutes. The courts of the various States will gladly co-operate to reach such greatly desired result.

Inasmuch as the State of Indiana has not manifested much activity on the subject of uniform State laws, it may be of interest to briefly state the history of the movement for uniform State laws in this country.

The State Bar Association of Alabama, in 1881, suggested the necessity of such a movement. The General Assembly of the State of New York in 1888 created a Board of Commissioners to confer with like commissioners from other States, which took the form of a law on April 28, 1890. A resolution was passed by the American Bar Association in 1889, at Chicago, recommending the organization of a National Conference of Commissioners on Uniform State Laws. I cannot set out the purpose of such conference of commissioners better than to quote from page 191, of the report of the Executive Committee to such conference regarding the proceedings of the Twenty-seventh Annual Meeting of such National Conference, held at Saratoga Springs, New York, August 29 to September 3, 1917, as follows:

"The National Conference of Commissioners on Uniform State Laws is composed of commissioners appointed by legislative or executive authority from the States, the District of Columbia, the Territory of Alaska, and the island possessions of the United States. The organization meeting was held at Saratoga, N. Y., in August, 1892; and annual meetings have been regularly held since that time, immediately preceding the meeting of the American Bar Association.

The purpose of the organization, as its name imports, is to promote uniformity of legislation on subjects of common interest throughout the United States. The commissioners are chosen from the legal profession, and serve without compensation or emoluments of any sort. Many of them have for years paid their own expenses, and all of them have rendered unstinting services for the public welfare. There is nothing of a personal or private nature about any of the aims or objects of the National Conference. Proposed acts are carefully drawn by a special committee of trained lawyers, assisted by experts in many instances, and are printed, distributed, and discussed in the national conference at more than one annual session. When finally approved by the conference, the uniform acts are recommended for general adoption throughout the jurisdictions of the United States, and are submitted to the American Bar Association, for its approval. Each uniform act is thus the fruit of one or more tentative drafts submitted to the criticism, correction, and emendation of the commissioners, and represents the experience and the judgment of a select body of lawyers, chosen from every part of the United States.

The uniform negotiable instruments act, one of the earlier productions of the National Conference, has now been adopted in fifty out of fifty-three jurisdictions of the United States, and other uniform acts are being generally adopted.

We have been gratified by the interest taken in the work of the conference by some of the States, demonstrated in a practical manner, by contributions in cash. We would like to see every State inoculated with a similar germ of generosity. No worthy harvest can be reaped without

plowing and planting and if each commissioner would look after the furrows in his own State our accomplishments would be surprising. It is useless for us to sit in solemn conclave propounding suggestions for uniformity in legislation, unless we personally carry the fruits of our labors to our State Legislatures, and insist upon the sowing of the seed in fertilized fields. We have put forth twenty-seven uniform acts. We must now put forth practical efforts for their general adoption. We not only need volunteers in the several Legislatures, but each commissioner should consider himself specially drafted for regular and persistent service in the many battles to be fought. This will require energy, self-sacrifice and indomitable determination—the courage to take hold, and the grit to hold on, until the task is completed.”

In regard to such conference, it has been well said that “the work of the commissioners is the most important public service being performed today in any organization of lawyers.” The method adopted by the conference in the preparation and mature deliberation upon all proposed uniform State laws, is a decided change over the manner in which bills must be prepared and enacted in the brief sixty days session of the Indiana General Assembly.

The conference, in order to secure the greatest efficiency, also has a Committee on Legislative Drafting, with Professor Ernest Freund, of the University of Chicago, and Secretary of the Illinois Commission on Uniform State Laws, as chairman. Professor Freund is by the commission regarded as the best qualified man in this country for such work. This association is fortunate to have the pleasure of Professor Freund’s presence today to discuss this important subject.

An editorial in the "Green Bag," December, 1911, paid the conference the following high compliment: "The conference has come to exercise a function of great importance in molding the legislation of the several States, and should be consulted by the State Legislatures for advice on important projects of State legislation, and aided with suggestions from other sources in its work of shaping new uniform acts."

The following uniform State statutes have been presented and recommended by the National Conference and adopted in a number of jurisdictions in this country, set opposite the name of the act:

Uniform Domestic Acknowledgments Act.....	8
Uniform Execution of Wills Act.....	6
Uniform Probate of Foreign Wills Act.....	6
Uniform Act with Relation to Promissory Notes, Checks, Drafts and Bills of Exchange (Days of Grace).....	4
Table of Weights and Measures.....	0
Uniform Negotiable Instruments Act.....	50
Uniform Migratory Divorce Act.....	1
Uniform Divorce Procedure Act.....	2
Uniform Act with Relation to Insurance Policies.....	0
Uniform Sales Act	19
Uniform Warehouse Receipts Act.....	41
Uniform Annulment of Marriage and Divorce Act.....	3
Uniform Bills of Lading Act.....	22
Uniform Stock Transfer Act.....	14
Federal Pure Food Law.....	2
Uniform Family Desertion Act.....	11
Uniform Marriage License Act.....	2
Uniform Child Labor Law.....	4
Uniform Marriage Evasion Act.....	5

Uniform Foreign Acknowledgments Act.....	5
Uniform Partnership Act	8
Uniform Cold Storage Act.....	5
Uniform Workmen's Compensation Act.....	4
Uniform Foreign Probated Wills Act.....	4
Uniform Land Registration Act.....	3
Uniform Limited Partnership Act.....	3
Uniform Act for the Extradition of Person of Unsound Mind	4

In addition to the above, other uniform State laws are being considered by the conference and among others the folloing will be considered at the National Conference of Commissioners on Uniform State Laws, at its twenty-eighth annual meeting, to be held at Cleveland, Ohio, August 22 to August 27, 1918:

Third tentative draft of the Uniform Sales Act.

Third tentative draft of the Uniform Fraudulent Conveyance Act.

Fourth tentative draft of the Uniform Vital and Penal Statistics Act.

Third tentative draft of the Uniform Occupational Diseases Act.

First tentative draft of the Uniform Compulsory Work Law.

An approved set of forms under the Uniform Land Registration Act.

Sixth tentative draft to make uniform the laws of various corporations.

An uniform flag law was presented to the 1917 conference; an uniform automobile law is also receiving attention.

While much has been said and written on the subject of the need of uniformity in divorce proceedings, only two

States have adopted the uniform divorce act. In the statutory causes for divorce such as cruel and inhuman treatment, desertion, drunkenness and other statutory causes, great diversity exists. In the statutes of the various States, there is but little uniformity in the rule governing the jurisdiction of the court in divorce actions. Much confusion has arisen in applying the rules of interstate comity on this subject. In one State a man may have been held to have been duly married, while under the law of another State, he may be found to be a bigamist under the same state of facts. What I have said in relation to divorce, relates with equal force to many other subjects involved in uniform laws recommended by the commission.

A lawyer may be skilled in the law of his own State, but when he goes across the State line, and undertakes to apply the law of his sister State, he may feel like a novice in the practice of law.

It will be observed that the State of Indiana has adopted only one uniform State law, i. e., the uniform negotiable instruments act, entitled "An act relating to negotiable instruments," and being an act to establish a law uniform with the laws of other States on that subject. Acts 1913, page 120, Article 1, Section 190, of said act provides that "This act shall be cited as uniform negotiable instruments act." Our sister State of Illinois has adopted at least five of the uniform State laws recommended by the commission. The State of Maryland has adopted not less than nine of these acts. Thirty-three of the States, Territories and possessions of this country have acts creating a Board of Commissioners for the promotion of uniformity in legislation in the United States, and seventeen of such jurisdictions have paid the expenses of the commissioners in the

discharge of their duties, and many of them have a provision for a contribution to the expenses of the conference.

The National Conference is largely assisted financially by the American Bar Association; such association is the chief support of the work, and adds greatly to the success of such movement.

The State of Indiana has not adopted an act creating such State Board of Commissioners; the commissioners have heretofore been appointed by the Governor of the State. The present commissioners from Indiana are Judge Charles Remster, Indianapolis; Hon. Wm. P. Breen, Ft. Wayne; Hon. Merrill Moores, Indianapolis; Hon. Ferdinand Winter, Indianapolis; Hon. Henry W. Bullock, Indianapolis; Hon. E. B. Stotensberg, New Albany, and the writer. Last year the only Indiana commissioner attending the conference at Saratoga Springs was Mr. Moores.

The Conference of State and Local Bar Associations, of which Elihu Root, of New York, is the Chairman, at a conference at Saratoga Springs, last September, adopted the following resolution:

"Resolved, That it is the sense of this conference that it is desirable that bar associations, State and local, should systematically endeavor to secure the elimination from the law in their respective States of such anachronistic conditions as impede the proper administration of justice and thwart the effective securing of those rights which ought to be secured in accordance with the common habit of the people; and to this end, we recommend that procedural methods be committed to those who are responsible for the administration of justice, the courts. We recommend the efficient organization of the judicial branch of the government, and that substantial steps be taken by the respective

associations for the systematic study of the actual administration of justice, and the actual effect of anachronistic legal institutions, rules and documents."

This conference acts in harmony with the National Conference, and with the American Bar Association. Our State Legislature, at its session in 1917, adopted an act, entitled, "An Act Concerning Civil Procedure Relating to Appeals, to the Supreme and Appellate Courts," which is in harmony with the above resolution.

Under this act, where such courts can ascertain from the record with reasonable certainty, the questions sought to be presented on appeal, they have the right to hear and determine such questions, notwithstanding any technical defect, omission or uncertainty in such record. The purpose of this act is to aid in wiping out certain technical rules heretofore prevailing in relation to records and briefs upon appeal. The so-called technicalities of law are universally condemned by the mass of the people. A systematic investigation of such subject by a committee of the Bar Associations of each State, would result in not only simplifying the rules of practice, but also in affording substantial justice to litigants.

I suggest that a resolution be adopted by this session of the State Bar Association, recommending that a bill be prepared and presented to the next session of the Legislature creating a State Board of Commissioners, for the promotion of uniformity in legislation in the United States and that the uniform act, presented by the National Conference, set out at page 189, of the record of the annual meeting, be adopted as a form to be enacted by our General Assembly.

I am certain that the members of the Indiana State Bar Association appreciate the efforts of the American Bar Association, and those of the National Conference of Commissioners on Uniform State Laws, in their great activity in preparing these various uniform acts, and tendering the same to the various States in the Union for adoption.

The fact that only one of these laws has been adopted in Indiana, shows that the lawyers of Indiana, including the State commissioners heretofore appointed, have not been as diligent as they should along this line of activity. We should give heed to the recommendation of the National Executive Committee above set out, to tender and use our influence and activity in creating a sentiment in favor of this movement, not only among the members of our bar, but with the members of the General Assembly of our State. I trust that Indiana will show the Executive Committee of the National Conference that Indiana lawyers and legislators have the "courage to take hold and the grit to hold on," at least until we put the State of Indiana in the front rank of this nation-wide movement for uniform State laws.

It has been well said by Edmund Burke, that: "It is with nations, as with individuals; nothing is so strong a tie of amity between nation and nation as correspondence in laws, customs, manners and habits of living. They have more than the force of treaties in themselves. They are obligations written in the heart."

This sentiment applies to individual States as well as to nations. The strongest tie of amity between Indiana and her sister States would be correspondence in laws, customs, manners and habits of living.

It should be our ambition, as lawyers, to see that Indiana responds as readily to this demand for uniformity as it has

to the demand for uniformity in the industrial world. We all rejoice in the fact that Indiana, with her three millions or more intelligent citizens, stands in the front rank of the States in this Union, in all industrial, social, religious and patriotic movements. In the great world struggle now being waged, between the principles of democracy and autocracy, our own beloved nation is uppermost in the thoughts of the world today because it is turning the tide of battle to democracy. It is with great honor that we all appreciate and enjoy the citizenship in a government, not only that is a world power, but one that is strong enough, and loyal enough to assist our noble allies in securing permanent peace, and in forever overthrowing the oppression of autocracy. In this greatest struggle in the history of civilization, we rejoice in the position our own State of Indiana occupies in this great movement.

This is a uniform movement, world-wide, embracing representatives of every State and country, who believe in the principles of justice and equality.

I suggest that as members of the legal profession, we can advance the efficiency of our State government and achieve greater victories in the name of our State by giving greater attention to uniformity of State laws.

May I not suggest in conclusion, that we stand united in this nation-wide movement.

Respectfully submitted,

LEX. J. KIRKPATRICK.

Discussion

By PROF. ERNST FREUND, University of Chicago

Mr. President and Gentlemen of the Indiana State Bar Association: It is a source of great gratification to me as a member of the National Conference of Commissioners on Uniform State Laws that this subject should have found a place upon your program and that it should have been discussed so well and eloquently by Judge Kirkpatrick, and that I should be permitted to add a few remarks which, in view of the advanced hour, I promise shall be brief, and which I am afraid may, after what you have heard this afternoon, seem rather sober and technical.

Let me preface these remarks by calling your attention to the presentation of the subject of uniform State laws in the pamphlet of which you will find a number of copies here, and of which you can obtain more from Chicago upon application, given by Colonel MacChesney in an address before the Illinois State Bar Association two years ago, in which a very full account is given of the entire history and present status of this movement. What I wish to do is to confine myself to a few phases of the subject which has been generally considered by the previous speaker.

First, as to the conditions which account for the existence of the movement: They are, as Judge Kirkpatrick has said, to be found in the limitations of our Federal constitution. Remember that this is the earliest of Federal constitutions now existing. It was established in 1787, when New Hampshire was further removed in every practical respect from New Jersey than Maine is from Cali-

fornia at the present time. There was no thought then of creating any government with national powers as we understand national powers at the present time. It was a constitution organized and framed for national integrity, for national defense, and for what had always been regarded as the proper sphere of imperial control—the regulation of commerce. Compare the other Federal constitutions of the present day—the great federations with which we are familiar. There are others in South America with which I am not familiar and I cannot refer to them. The ones I refer to are Canada, Australia, South Africa, Germany and Switzerland. The Canadian constitution was formed in 1867. It was modeled in part upon ours, but the legislative powers were framed much more widely, the Dominion Government, which corresponds to our Federal government, having the residual powers of legislation. In 1867, the same year, the German confederation was founded, and that likewise gave considerable legislative power to the confederation, which subsequently became the German Empire. The Federal government was given the subject of marriage and divorce, of commercial law, of trade, of insurance, and later on, of the entire civil and criminal law, and of procedure.

Then came Switzerland in 1874, likewise now covering in its legislative powers the entire subject of civil and criminal law and procedure and industry and commerce.

Then came Australia in 1900; then South Africa in 1911. The South African constitution is the widest of all in its grant of Federal powers. You will see the tendency is to increase national power more and more. Our Federal constitution is such in its methods of amendment that we can hardly look forward to a rapid enlargement of the needed

powers. At the same time it is, of course, true that our whole economic life has become national and that some way or other, either by amendment or in a more conservative way, we must remedy the defects which the constitution has by reason of its early formation.

Next let me illustrate the phases and tendencies of uniform legislation by reference to a few subjects: Commercial law, marriage and divorce, and incidentally a few others.

As to commercial law, we must make a distinction between that and the regulation of commerce. The regulation of commerce has always belonged to the United States. Note, however, when you draw a bill of exchange or a note upon New York, that is not commerce; at least it is not regarded as commerce by the Federal legislation. It is vital that the laws of bills and notes for the country should be the same, and that, indeed, was the need that made itself first felt, with the result that one of the earliest acts passed by the Uniform Law Conference was the negotiable instruments act, modeled upon the English act of 1882—now practically the law of the entire country. As Judge Kirkpatrick has said, it is the law in fifty-two jurisdictions, including Indiana. Bills and notes are often secured by warehouse receipts and bills of lading, and not commonly loans are made upon the security of certificates of stock. These instruments have engaged the attention of the commission and laws have been enacted which provide for uniform warehouse receipts, bills of lading and transfers of certificates of stock.

Then came the subject of sales. A sale of goods in New York to a firm in Indianapolis is not a transaction of interstate commerce if the title of the goods passes in New

York, and therefore not within the scope of any act of Congress, while Congress has, as you know, legislated upon the subjects of bills of lading, because bills of lading relate to transportation.

There are other acts affecting credit, which in order to be nation-wide, require practical uniformity of the basis of credit throughout the country. I refer to the subjects of fraudulent conveyances, or partnership and limited partnership. Uniform acts upon these subjects have either been passed or are under discussion.

That the need of all these acts has impressed itself very much on the community at large is evidenced by the fact that they are being rapidly adopted throughout the country. The Committee on Commercial Law has been the most productive and the most successful of the various committees of the National Conference.

It is interesting to note that you cannot proceed in the matter of unifying law without engaging to a certain extent in a change of law. That is done very conservatively by the uniform law commissioners, but it has to be done to a certain extent. In unifying the law of warehouse receipts, bills of lading and certificates of stock it was deemed wise to give to those instruments or documents a character of negotiability which they did not have by the common law. That was a step which some conservative lawyers demurred to, and yet it was found wise to accept that improvement which is quite in accord with the commercial law of all the European countries.

So in regard to partnership. According to the common law a partnership is not regarded as an entity, while the partnership act as passed by the National Conference gives to a firm in many respects the character of an entity, so

that, *e. g.*, title to real estate can be vested in the firm. In doing so it was necessary to take care not to give the partnership the character of a corporation, because thereby partnerships would become subject to a number of constitutional and statutory provisions which a commercial firm may legitimately desire to escape.

Now, let me contrast these commercial acts with those concerning marriage and divorce. Marriage and divorce are subjects which in most of the great confederations are made the subject of national concern and power. There are four acts, the uniform divorce act, the uniform divorce jurisdiction act, the uniform marriage license act and the uniform law against the evasion of the marriage laws of a State.

Now, two of those acts, namely, the jurisdictional act and the evasion of marriage laws, are laws which I think very legitimately belong to the movement for uniform legislation, for this reason, that the matter of comity of States is not covered by Federal power at all and cannot adequately be covered by independent State legislation, but if taken care of at all must be taken care of by reciprocal and concurrent legislation between the different States. It is quite obvious that a State cannot effectually legislate with regard to divorce if parties can pass out of the jurisdiction and establish a fictitious residence in another State—the other State facilitating practices of this kind—and then claim the protection of the Federal constitution for a judgment or decree of divorce thus obtained. It does need co-operation between the States to deal with such conditions. Consequently there was recommended by the National Conference a law making a minimum requirement of domicile or residence for divorce jurisdiction. It is true that that

law has not been enacted in many States, but the fact is that the States by themselves have gradually lengthened the period of residence necessary for obtaining a divorce, so that by a gradual acceptance of the principles proclaimed by the National Conference, the worst evils of the old conditions have been removed by voluntary co-operation between the different States.

The marriage evasion law seeks to bring about that parties shall not be able to go into another State for the purpose of evading the impediments and prohibitions of their own State law, and get married in the other State and come back and laugh at the law of their own State. That is what they can do under the doctrine maintained by the courts of the State of New York. New York is very strict and will not allow a guilty divorced party to be remarried without a permit from a court of justice. Yet the law permits the parties to evade the prohibition by simply going over to New Jersey and getting married there. The marriage evasion law is intended to secure co-operation between the States, so that no State shall undertake to marry residents of another State in contravention of the laws of that other State when the parties expect to return to their own State and continue their domicile there.

Contrast with this legislation relating to comity, other marriage and divorce legislation relating to causes of divorce, impediments to marriage and celebration of marriage. Is the country ready at the present time for unity in the causes for divorce? South Carolina prohibits divorce for any cause whatever, and to nail her policy down has put the prohibition into her constitution. New York will grant a divorce only upon what the newspapers call the "statutory grounds," namely: adultery, and has apparently no

intention of falling in line with a more tolerant policy. Ignore South Carolina, if you please, but in such a matter as divorce uniformity with New York left out is not uniformity. We had better realize that the country is not ripe for uniform divorce legislation.

The same is true with regard to impediments to marriage. In some of the Southern States they are very uncompromising on the subject of miscegenation. They do not want marriage between white and colored. In the northern States the sentiment is not quite of the same strength. Apart from that, there is so much diversity as to degrees of relationship, whether first cousins should be allowed to marry or not, as to questions of affinity, as to questions of remarriage after divorce, etc., that I do not think you can get uniformity in that respect in the various States, and very wisely, when the matter of marriage legislation was undertaken by the Uniform Conference, the commissioners said: "We will have nothing to do with impediments; they will have to be regulated by each State." What the conference undertook to do was to formulate a law regarding the solemnization of marriage. Here it is possible to find a strong uniform tendency to get rid of the old common law marriage and to require some form of solemnization. The conference realized that it would not be possible to do in this country what has been done by nearly all European countries, namely: to insist upon marriage by civil authorities. The legislation existing in all the States permitting a religious ceremony to be equivalent to a marriage before a civil officer had to be respected. But it was desirable to tie up the marriage as a civil institution to the State, and since nearly all the States were familiar with the marriage license (now all the States have it), it was deemed proper

to incorporate this requirement into the uniform marriage law.

It may be asked, if the States tend toward uniformity by independent separate action, why a National Conference for Uniform State Laws? The answer lies in the need for what Judge Kirkpatrick has termed "standardization." In unifying legislation the National Conference is endeavoring at the same time to lift it to the plane of the best standards of jurisprudence. Standardization does not only mean, as I take it, uniformity, but also conformity to the best attainable models. A marriage license act ought not only to provide for a license, but it also ought to have the proper technique of the marriage license worked out in the best way. It would be tedious, and I will not undertake to go into the details of that matter. Be it sufficient to say that the most careful thought was given by those charged with the presentation of the uniform license act to the most efficient methods of securing compliance with the requirements of the statute, and yet not to make those requirements unduly rigid; to make them as flexible as possible, and if any inadvertence or any error should have been committed, not to jeopardize the validity of the marriage by a multitude of requirements. The object of a technique of statutory legislation, which is gradually coming into its own, is to combine economy of methods with stability of results.

Standardization is the main object of a number of proposed uniform laws which can hardly make a very strong appeal on the ground of need for uniformity. I mention the land title registration law, or the workmen's compensation law as instances in point. What the National Conference, in preparing these measures, has aimed to do, is to furnish to the States desiring legislation of these types

models that they can conform to in the confidence that the most careful thought obtainable in the country has been devoted to them.

Let me assure you that the National Conference fully believes in retaining State autonomy of policy where uniformity is not a vital need. But the conference believes that when a State has decided upon a policy, it can render aid in giving to that policy the most effective form and can point out the way of harmonizing that policy with those standards of equity, individual right and technical correctness, which according to their very nature must be national and not local standards. This task of harmonizing policy with law is very largely a matter of legislative technique and of a very thorough understanding of the subject matter of the legislation in all its juridical phases. Without in the least disparaging local talent, it is safe to say that it is not as easy for a State Legislature to find the requisite expert knowledge on the subjects that may come before it as it is for the National Conference, which takes its experts wherever it can find them in the country.

A word as to the body to which the task of framing uniform laws is committed. Having enjoyed the privilege of membership in it for ten years, I do not know of an organization more inspiring in its ideals or more workmanlike in its practice. It is entirely dominated by the thought of turning out the best possible work, and that work solely concerned with law and justice. It is made up of practitioners, judges and law teachers, who are all in it for the love of it. Politics has no part in its composition or in its operations. Indiana, as Judge Kirkpatrick has said, is represented in this body. You have a large delegation, but its members are rarely seen at the sessions of the con-

ference. That is inevitable so long as you have not a statute which puts the commission upon a more permanent basis than it has at the present time. The conference recommends the enactment of a law which provides for a commission appointed by the governor with a tenure of four years. It is hardly possible that members should develop their fullest usefulness unless they have almost practical permanence of tenure. It takes some time to get into the spirit of that work and to get to properly working and co-operating, and a State Commission whose tenure is only one year, unless there is practical assurance that the same commission is appointed year after year, will be hampered in its efforts. I very much hope that the Indiana State Bar Association will support, as far as lies within its power the enactment of the law referred to by Judge Kirkpatrick.

One final request as to your attitude toward the conference. Lawyers are naturally conservative in matters of legislation. They are not apt to be predisposed in favor of those (particularly those who come from outside of the State) who urge changes. The National Conference does ask for changes of statute law in many cases; in others for new statutes that may affect judicial decisions on points of common law. Now, what we ask you to do is to divest your mind of prejudice against uniform laws merely on the ground that they will in some respect change the law of your State. The conference does not recommend any change that it does not believe to be beneficial. It is, on the whole, a conservative body of men. It has continually submitted to it new propositions for consideration, and the tendency is always to turn them down. Last year out of seven that were suggested only one was adopted. A meas-

ure recommended by the National Conference always deserves your earnest consideration. We bespeak for all the uniform laws your favorable consideration. Our success depends upon the confidence reposed in us by the members of the bar in each State, and we are doing our best to earn that confidence.

Special Meeting
OF THE
Indiana State Bar Association

November 21, 1917

On the call of the president, a special meeting of the Indiana State Bar Association was held in the Supreme Court room in the State House at Indianapolis, on Wednesday, November 21, 1917, in response to a communication from General Crowder, Provost Marshal of the United States, requesting the Indiana State Bar Association to call such a meeting for the purpose of co-operating with the National and State Government in the appointment of members and associate members of the Legal Advisory Boards under the Selective Service Regulations, and of securing the services of the bar in giving free counsel and advice to registrants, in filling out their questionnaires, and to the Local Boards in matters pertaining to the administration of the Selective Service Law.

It was resolved by the meeting that it be the sense thereof that the members of the Association as well as lawyers not members should give freely of their time, counsel and advice in assisting the Local Boards and registrants, whenever called upon to do so.

After a brief discussion as to details, the meeting as a committee of the whole recommended to the Governor and

the Selective Service Officer of the State attorneys for appointment upon the permanent Legal Advisory Boards in each of the 124 registration districts of the State, and authorized the permanent boards so to be appointed to call to their assistance every lawyer within their respective districts, as associate members, and pledged their co-operation to the fullest extent.

The members of the Association were advised by circular letter of the action of the meeting, and not only the members of the Association, but all the lawyers of the State, have responded willingly and generously and by their services, without reward other than the satisfaction of having served their country in its time of need, have largely contributed to the efficient administration of the Selective Service Law.

In Memoriam

MARCELLUS A. CHIPMAN

BRADEN CLARK

DANIEL WEBSTER COMSTOCK

EDWARD DANIELS

GENERAL RICHARD P. DE HART

ALEXANDER DOWLING

RICHARD K. ERWIN

HON. CHARLES W. FAIRBANKS

GEORGE FORD

JOHN WORTH KERN

GUSTAVUS V. MENZIES

ROBERT S. TAYLOR

Marcellus A. Chipman

Marcellus A. Chipman, who died at his home in Anderson, Indiana, on the 16th day of April, 1918, was born at Noblesville, Indiana, September 27, 1852. He attended the common schools and afterward entered Indiana University, where he was graduated in 1873. Soon after this he was admitted to the bar at Anderson, Madison County, Indiana, where he continued the practice of his profession to the time of his death. He was married in 1875 to Miss Buskirk, of a prominent family in Paoli, Indiana. He was judge of the Madison Circuit Court from 1888 to 1890, when the 50th Judicial Circuit, composed of Madison and Hamilton counties, was created and Madison county became an independent district. He held and occupied many positions of responsibility. He was the first secretary of the Board of Trade of Anderson and was active then and throughout the remainder of his life in promoting the growth and civic development of that city. In 1903 he was appointed by Governor Durbin as a member of the commission to prepare a compilation, revision and codification of the state laws of Indiana. In this work he was associated with the late Timothy E. Howard, of South Bend. As a member of that commission he performed most arduous labors with tireless devotion and signal ability.

He was a prominent and most devoted member of the Odd Fellows lodge and had for many years been honored with important positions therein and had been a leader in its councils in this state.

In the practice of law he was associated for a time with his father, the late D. C. Chipman, later with Henry C. Ryan and later for seventeen years in the firm of Chipman,

Keltner & Hendee. After the dissolution of this firm he practiced alone for a while and then was for nearly two years associated with Luther F. Pence. His last partnership was as a member of the firm of Chipman, Vestal & McMahan, which continued until his death.

The following extract from the memorial resolution passed by the Madison County Bar Association is adopted by the State Bar Association:

"We believe it can be truly and justly said of him that in almost half a century of his life in the community in which he lived, in which he was tested in all the various relations, he won and held the universal respect and esteem of his fellow men. In the practice of his profession he well earned and securely held high rank as a member of the local bar and throughout the state. He was a careful and painstaking student of the law and was well grounded in fundamental principles, and in his practice invoked the aid of these to a great extent, but always with a few and well-chosen cases in point. He rarely came into court without careful preparation, and when he had considered a case and arrived at a conclusion, that became a motive and a conviction with him and he became a forcible and enthusiastic advocate and a formidable antagonist. He was a man who, after study, arrived at strong convictions, loved right and justice and defended them with earnest, sincere and unyielding firmness. He did not come to conclusions hastily, but when he formed an opinion he was bold and courageous in maintaining it. He was unswerving in the advocacy of what seemed to him to be the right and just, and yet he had none of the qualities of the fanatic or bigot. He respected the opinions of others as well as his own, and was considerate of the rights of his fellows.

"He was one of the most gentle and kindly of men. To be courteous and obliging seemed to be a passion with him and one of the chief sources of pleasure in his life. He was most honorable in all his dealings, held a high conception of his profession, and never failed to receive from the courts in which he practiced, and his opponents as well, that most respectful consideration which he accorded to them.

"One of the most impressive facts of his life was the gentleness, patience and cheerfulness with which he bore his afflictions. His cheerfulness in the face of impaired health and hearing, that would have crushed the spirit of most men, was as pathetic as it was most admirable. Despite these afflictions he was useful and active almost to the hour of his death, and in this, his oft-expressed wish was not denied him.

"As a man and as a lawyer his public and private life was without reproach, and the finest trait of his character was his singular loyalty and devotion to his home and family.

"He was intensely interested in all matters looking towards the progress and development of his city, county and state. His patriotic service in the recent Liberty Loan campaign was probably the immediate occasion of his final illness; and so it may be said of him, that, like the soldier, he died at his post of duty and in the service of his country, as the crowning honor of his useful life."

Braden Clark

Data for this memorial was not received in time for publication in this volume, and it will appear in a subsequent issue.

Daniel Webster Comstock

Daniel Webster Comstock was born at Germantown, Ohio, December 16, 1840, and died at Washington, D. C., May 19, 1917. He was graduated from Ohio Wesleyan University when twenty years of age, receiving the degrees of A. B. and A. M. In 1861 he located at Newcastle, Indiana, and was there admitted to the bar. In 1862 he was elected district attorney for the Eleventh Common Pleas District, but shortly thereafter resigned to join the Union army, and served with distinction in different capacities throughout the Civil War. In 1867 he married Miss Josephine Rohrer, who, with their three children, survives him. In 1913 he was elected Department Commander of the G. A. R. of Indiana. At the close of the war he took up his residence at Richmond, Indiana, where he again engaged in the practice of his profession. He was City Attorney for Richmond in 1866, was Prosecuting Attorney for Wayne county from 1872 to 1876, and represented that county in the State Senate in 1878. He was Judge of the Seventeenth Judicial Circuit for two terms and in 1896 became a member of the Appellate Court of Indiana, where for many years he proved himself to be both diligent and painstaking, having in mind, in the performance of his judicial duties, the single purpose of being just.

In 1911 Judge Comstock returned to Richmond and engaged in the practice of law until in 1916, when he was again honored by being elected to Congress from the Sixth Indiana District.

These honors and preferments, covering a long period of years, are unmistakable indications of the estimate, which

those who knew him best placed upon his character and ability as a man and a citizen. He was one of those amiable, kind-hearted men, whom it is always a pleasure to meet, a true friend one never forgets, and a faithful public servant who always endeavored to do his duty faithfully and well.

Edward Daniels

Edward Daniels, of the Indianapolis Bar, a charter member of this Association and, at the time of his death, Master in Chancery of the United States Court, departed this life on the 11th day of June, 1918. The following Memorial adopted by the Indianapolis Bar Association contains the salient facts of his career, and as a fitting tribute to his attainments is adopted as the expression of this Association.

MEMORIAL.

Edward Daniels, who died on June 11, 1918, was born on November 11, 1854, in Greene county, in the state of Ohio, and came in early youth with his parents to Rockville, in this state, where he attended the common schools until he went to Wabash College, from which he was graduated on the completion of his course in 1875. In the following year he attended the law school at Columbia University. At the close of a year in the law school he came to Indianapolis and was admitted to the bar of the state and federal courts, and took a position as clerk in the office of Baker, Hord & Hendricks. In 1882 he became a member of that firm and afterwards he and Albert Baker, a son of the senior member, formed a partnership which existed until the time of

his death. He was appointed by the Honorable William A. Woods and John H. Baker, judges of the Circuit and District Courts for this district, as a standing master in chancery, on the death of Mr. William P. Fishback, in 1901, and held the office from that time until he died. He was a member of the American, Indiana and Indianapolis Bar Associations, the Columbia and University Clubs, the Indianapolis Literary Club and the First Presbyterian church of Indianapolis.

In 1887 he was married to Miss Virginia Johnston who, with their two sons, one of whom is in the army of the United States, survive him.

In all the relations of life his conduct was void of any flaw or tarnish. He brought with him to the discharge of all professional or official, political or social obligations, a high and keen sense of duty, which would not be content with a cursory performance of them. His investigation of the details of a case was careful and minute, but he never lost in the study of them, his ability to see the case as a whole and comprehensively, or to make a proper application of the principles which should govern it. He stated the facts of a case with such clearness and relevancy to the issues joined in it as to make his conclusions inevitable. His knowledge of the law was accompanied in the administration of it by a trained and educated conscience which never sacrificed the spirit of the law to the letter of it. In preparedness, in consultation and in his judicial opinions as a master in chancery, he verified the sententious observation of Bacon that, "reading maketh a full man, conference a ready man and writing an exact man." He was all of these.

Law was not for Edward Daniels merely an affair of statutes and reports. There was for him an inward compulsion to know more than was furnished by them. Precedents "on all fours" with a case in hand did not satisfy his insatiate mind. Not even principles alone, but the derivation of them and the reason for them, were necessary for his mental sustenance. The history and philosophy of the law beckoned him not in vain.

In a word, he took all knowledge for his province and subdued as much of it as he might in these days of trial and fret. It might be said of him as Counsellor Kent said of himself, that he found in his library "a great and essential source of felicity." He did not read for the pleasure of reading or the learning that is acquired by it, but he read, like Kent, for the wisdom that surpasses all else, and that wisdom was his reward. He could not always accept the superficial or conventional view of life and the world around him as delivered from rostrum or press, but had to know and think for himself and act accordingly. He could not "dwell in decencies forever," and he could not be diverted by crude theorists from an intelligent maintenance of that great body of the law under which he lived and served as one of its most efficient ministers.

NOBLE C. BUTLER, *Chairman*,
CHARLES W. SMITH,
ALEXANDER C. AYRES,
CHARLES W. MOORES,
HAROLD TAYLOR.

Committee on Memorial.

General Richard P. DeHart

General Richard Patten DeHart was born near Mason, Warren county, Ohio, January 1, 1832, and died at Lafayette, Indiana, June 12, 1918, at the age of 86 years, 5 months and 11 days. His parents were Gideon and Malinda Patten DeHart, the former from Elizabethtown, N. J., and the latter from Cincinnati, Ohio. His parents, like other pioneers, were in very moderate financial circumstances, but Richard improved to the best advantage the limited educational facilities afforded at that time and in that locality. He came to Indiana and located in Cass county in 1855, and taught school in that county and in Carroll, raising means to enable him to prosecute his studies preparatory to practicing law.

After one year of teaching he began his professional reading in the office of Hon. Horace P. Biddle, of Logansport, a distinguished jurist, afterwards occupying the Supreme Bench of Indiana for six years. At the end of two years DeHart commenced the practice of law at Logansport. In 1858 he was elected prosecuting attorney for the Eleventh Judicial Circuit of Indiana, which position he filled until 1860 when he resigned and was nominated and elected to the State Senate, representing the counties of Cass, Howard and Pulaski. He served during the session of 1861, after which he returned to Logansport and enlisted as a private soldier in the Union Army.

On September 30, 1861, he was commissioned as adjutant of the 46th Indiana Infantry; promoted and commissioned as lieutenant-colonel of the 99th Indiana Infantry, October 18, 1862, and was promoted and commissioned as colonel

of the 128th Indiana Infantry, March 18, 1864; and appointed and commissioned by the President of the United States as brev. brigadier-general on March 13, 1865, "for gallant and meritorious services during the war," as recited in his commission. He was honorably discharged April 18, 1865.

During his services in the army, he served under General Nelson in the army of Ohio, thence under General Pope in the army of Mississippi, at New Madrid, Missouri, Island No. 10, Riddles Point, Tiptonville, Fort Pillow, Memphis, Vicksburg, Jackson, Mississippi, Big Black River; thence in Georgia in the 23rd Army Corp, in campaign under General Sherman from Chattanooga to Atlanta, participating in the various battles of that campaign, and received two serious wounds at Lost Mountain in Georgia in June, 1864. As soon as able to travel he came home on leave of absence. General DeHart was one of the seven appointed on the commission by General Hovey to try Boulds, Milligan, Horsey, Humphreys and others, who held high positions in the treasonable organization of the Knights of the Golden Circle, and whose conspiracies, if carried out, would have released the rebel prisoners at Indianapolis, the capture of Governor Morton to be held as hostage to secure the release of any of the conspirators, who might be captured, and various other disloyal and treasonable acts, intended to aid the rebels and defeat the Union cause. The trial of those traitors commenced October 21, 1864 and ended in the conviction of Boulds, Milligan, Horsey and Humphreys, the first three named being sentenced to death and the last to imprisonment for life. The day for execution was fixed for those sentenced to death, but by the earnest representations of Governor Morton and other prominent loyal men, President

Johnson was induced to commute their sentence to imprisonment in the penitentiary at Columbus, Ohio. After the war was over, they were released by writ of habeas corpus in the Supreme Court of the United States, not on the ground that they were not guilty, but solely on the ground that the commission which tried them in Indiana, in a state where the civil courts were not suspended, was without jurisdiction. The trial by the commission had a most salutary effect in stopping the treasonable activities of the Knights of the Golden Circle and other disloyal organizations and encouraging and bracing up the loyal sentiment of the country.

After leaving the service in 1865, General DeHart located and entered in the practice of law in Lafayette where he continually resided until his death. He donated much land as inducement for the establishment of the State Soldier's Home, and was otherwise efficient in procuring the location on the beautiful grounds now occupied by it four miles north of the city. The General declined a commission, offered him by the Governor, as colonel in the Spanish-American War, feeling that his advancing years and the wounds received in the army, from which he never fully recovered, would largely impair his efficiency as a soldier in the field. General DeHart was personally acquainted with President Lincoln and General Grant. He declined, under President Grant, the appointment of consul at San Diego, Cuba, and was also offered the office as consul to France with headquarters in Calais. General DeHart, while devoted to his profession as a lawyer, was a great reader of good literature, he was a fine orator and was often employed in criminal cases where his powerful appeals to juries were generally effective. He took part in every political campaign,

being an ardent Republican, advocating its principles with great eloquence and power, so much so that his services in political campaigns were not only sought for throughout the state of Indiana, but in other states. On December 3, 1901, he was appointed by the Governor, judge of the Tippecanoe Circuit Court, was elected to the same position at the general election in 1902 and again elected at the general election in 1908, serving altogether about fourteen years. His services on the bench were distinguished by legal learning of a high order, and by the careful administration of justice. He enjoyed the high esteem of members of the legal profession and the public for his integrity, ability and impartiality, and the dignified and courteous manner in which he conducted his judicial duties. As a citizen he was always held in the highest respect on account of his pure and elevated character, his friendly and companionable association with others and his readiness always to give every good cause liberal help and eloquent encouragement. His death made a deep and profound impression of sorrow in the community where he had resided and among his large circle of friends elsewhere.

He was a member of the military order of the Loyal Legion of the United States Commandry of the State of Indiana, Insignia No. 13307 and of the Grand Army of the Republic, also of the Knights of Pythias, Red Men and of the Constantine chapter of the Sigma Chi fraternity.

Alexander Dowling

Alexander Dowling was born December 19, 1836, in Hillsboro, Virginia. His father, Dr. Henry McCabe Dowling, and mother, Harriett Hazlett Dowling, removed to New

Albany, Indiana, when their son was but two years of age. The lad spent his entire boyhood and manhood in New Albany, and was closely identified with its growth and activities. He received his education at Anderson's Academy, a classical school for boys, where he had the benefit of exceptionally thorough training.

His legal studies were commenced in the law office of Otto & Davis, and from his association with Judge Otto, he derived much of his admiration and love for learning and literature, which were prominent characteristics of Judge Dowling throughout his life.

His devotion to his profession amounted almost to a passion. No labor was too severe, no sacrifice too great for him to undergo, where his professional duty toward his clients was involved. He worked hard and long because he loved to do so, and he enjoyed the challenge of a difficult task.

Judge Dowling possessed the rare combination of unusual ability as a trained lawyer and advocate, and a strong judicial temperament. His ambition was largely gratified by his election to the Supreme Bench of Indiana in 1899, a position he held for six years. His satisfaction in serving his state as one of its judges was only exceeded by his pleasure in returning to practice in the city he loved. His activities continued until the hour of his death.

Judge Dowling was more than a trained and able lawyer. He used his profession as a means for befriending the helpless and distressed. Nothing in his work gave him more delight than to secure to some widow or orphan the rights to which they were entitled. Much of his best work he per-

formed without compensation or reward, other than the consciousness of having proved himself a friend in need to one who trusted him.

Judge Dowling died December 11, 1917, and by his death the State Bar Association has lost an honored member, and the state and community in which he lived has lost a most estimable citizen.

Richard K. Erwin

Richard Kenney Erwin was born on a farm in Union township, Adams county, Indiana, on July 11, 1860, and died in Fort Wayne, October 5, 1917. He was a son of David and Mary Ellen (Need) Erwin, his father being one of the early pioneers who settled in that section of the state in 1839. The son was one of Indiana's products of the log-house home and the country school. Both of his parents died before he arrived at his majority, and on the death of his father the young lad had cast upon him the charge of the home, farm and care of the family. He finished the common schools of his home district and then completed a course at the Methodist College at Fort Wayne. He taught school for one year in Allen county and for six years in his native county of Adams, during which period he took up legal studies in the office of France & Merriman at Decatur, Indiana. After his admission to the bar in 1886 he went into the general practice and with his acquired knowledge of the law and his natural abilities soon developed into a

good lawyer. His progress was ever onward, marked and steady. He was elected by the people and served as representative to the Indiana General Assembly for the sessions of 1891 and 1893, being one of the legislative leaders of that period. His record in that capacity was enviable. From 1891 to 1896 he served as county attorney for Adams county and in 1900 was elected judge of the Twenty-sixth Judicial Circuit, serving with distinction and credit from 1901 to 1907. He was the democratic nominee for judge of the Supreme Court of the state in 1906, but was defeated at the polls by Hon. Leander J. Monks. In 1907 he opened law offices at Fort Wayne and went into the general practice, where he at once took rank with the leading members of the bar in that part of Indiana. As an advocate he was retained in and successfully tried a great number of cases in the courts of northeastern Indiana, and in the courts of last resort, commanding state-wide attention. In 1912 he was again a candidate for judge of the Supreme Court and was again opposed by Judge Monks. Judge Erwin was elected by the largest vote ever given to a candidate on the state ticket, defeating his opponent by 120,330 votes. On January 7, 1913, he qualified as judge under the commission issued to him as a result of that election and served as a member of the court until his death on October 5, 1917.

Judge Erwin was married at Monroeville, Indiana, on January 17, 1883, to Miss Luella A. Wass, who, with their five children, survive him. The children are: Dr. Harry G. Erwin, Hometown, Indiana; Mrs. Robert Allison, Indianapolis; Richard W. Erwin, law librarian, Indianapolis; David Erwin, a student at Purdue University, and Miss Francile Erwin, who lives with her mother in the Erwin

homestead at Fort Wayne. Judge Erwin was an active Scottish Rite 32nd degree Mason, a member of the Elks, and the Knights of Pythias.

His career and service as a member of the Supreme Court of his state, like all service rendered by him, was notable and honorable. At the time of his death he was the presiding chief justice of the court. His opinions, and there are many of them on subjects of great moment, are concise and clear, his reasoning sound and his diction perfect. Personally, although resolute in conviction, he was mild in manner and his character was lovable. His mind ever turned to philosophy and to the literary classics, and from the masters of the latter he was always ready with a quotation to illumine the occasion. He was not what, in this day, is termed a "case lawyer," but his viewpoint was that of the fundamentals. He saw the merits of the controversy with an eye which applied the never failing test in appellate judicial procedure—has substantial justice been done? Such manner of judge was he that he was much loved by those who knew him and much admired and respected by those who knew of him. His mind was atune with the poets and often his own thoughts would be by him rhythmically recorded. The closing stanza of a poem of his own composition, entitled "God's Plan," will illustrate his idea of the world beyond and of the immortality of the soul:

"And all the tears we here have shed
Within this vale of sorrow's night,
May, over There, when we are dead,
Be sparkling gems, in God's clear light."

Memorial Meeting

OF THE

Indiana State Bar Association

IN MEMORY OF

Honorable Charles W. Fairbanks

Held in the Supreme Court Room of the State of Indiana, at the State House, Indianapolis, Indiana, on the seventh day of June, one thousand nine hundred and eighteen, in conjunction with the Indianapolis Bar Association.

Pursuant to call a joint meeting of the members of the Indianapolis Bar Association and the Indiana State Bar Association was held in the court room of the Supreme Court of the State of Indiana, at Indianapolis, on Friday, June 7, 1918.

The meeting was called to order by Aquilla Q. Jones, esq., acting as temporary chairman.

CHAIRMAN JONES: Gentlemen, this meeting has been called by the Indianapolis Bar Association and the State Bar Association as a joint meeting, to which have been invited, of course, all lawyers who desire to come. The meeting is called for the purpose of paying our respects to the memory of Mr. Fairbanks, who was a member of both of these organizations. The Committee on Arrangements has

designated Judge Harvey as chairman of the meeting and Mr. Batchelor, the secretary of the Indiana State Bar Association, as the secretary of the meeting. I will ask your approval of that action by vote.

(Consent.)

Judge Lawson M. Harvey in the chair.

CHAIRMAN HARVEY: Members of the Bar: It is most appropriate that such a meeting as this be held by the associates of Fairbanks, by his neighbors and friends. It is also appropriate that arrangements be made for such a meeting. These arrangements have been made and they included the appointment of a Memorial Committee, and with your consent the chair will announce those names and suggest the appointment of those members of that committee:

Charles Martindale, Charles W. Smith, Albert Baker, Joseph B. Kealing, Noble C. Butler and Aquilla Q. Jones.

This committee, if that suits your pleasure, will now retire and later report a memorial.

What is your pleasure as to whether addresses shall now be delivered, or shall we wait until the committee reports? If you have no expression on that we will wait a moment. I have no doubt the committee is prepared to report.

SECRETARY BATCHELOR: Mr. Chairman, owing to the situation in the Memorial Committee, I move you that we proceed with the speaking at this time.

CHAIRMAN HARVEY: The secretary, upon making inquiry, suggests that we proceed with the addresses that are to be

delivered. The chair will therefore call upon Judge Quincy A. Myers.

JUDGE MYERS: Mr. Chairman and Gentlemen of the Bar: I have not prepared any set speech for this occasion, and can only speak in a general way, because there is very little any of us can say that we do not all know respecting Mr. Fairbanks. I have made some notes of what headlines I might want to refer to.

First, gentlemen, I think upon an occasion of this character we may well reflect upon the character of our institutions as exemplified in the life of our deceased friend, neighbor and public character. As we all know, his early life was a struggle. I can well imagine the tall, angular, diffident boy, in his first endeavor to gain an education and the efforts and the sacrifices that he was compelled to make. Now, in other places of the world, like sacrifices might have been made and may have been made, and have been made by others, but it is the character of our institutions which made it possible for the rise to that dignity of manhood and public attainment which our friend passed through. It is a mighty argument, brothers, in favor of our institutions, and never more than at this hour ought we to be impressed with the importance of their preservation. Of course, the matter does not rest lightly on our hearts as it is, but we ought to take new courage and new inspiration in the light of the life of a man who under such institutions as we have made of himself what our friend did. It is an inspiring hope to the young man. It is a matter of extreme importance to the man in middle life, and is a matter upon which men of mature age and men who are passing down the other side of the slope can only view with great and deep inter-

est, and many of us are going down that slope and we recognize the grave and great importance of the preservation of the institutions of this country.

Speaking directly of the man himself, of his unblemished and unspotted character, the evenness of his way through life, the character of his home ties and his family circle all of the most highly commendatory character, which to the young especially and to those whose habits of life have not yet become entirely fixed, the life of such a man was an inspiration and a guide.

I think you will all agree with me that he had a remarkably even-tempered mind. I doubt if his nearest and closest friends, notwithstanding the fact that he had firm convictions, ever knew of his engaging in acrimonious debate or indulging in severe criticism of the opinions of others, however they might differ from his own. That, gentlemen, is a mark of greatness in any man. It is a mark of distinction that a man who has passed through so many struggles of a different character as he did, should have retained the even temper of his mind and that his way was always marked by regard for those who might differ with him in opinion, or in the course of conduct that should be pursued. The urbanity of his manner was a very remarkable characteristic of the man. I doubt not that there have been times when some of us thought that perhaps that was due to an austerity of character. It was very far from it. It was just simply the mark of a gentleman, the refinement of a gentle mind and a gentle character. I recall with particular distinctness one instance at this time. As you know, my life has been principally spent at Logansport. We had there a man of high character, high intellectual attain-

ments, well versed in the affairs of life and a highly educated man. He was of the same political party as Mr. Fairbanks, and very early in Mr. Fairbanks' political career, this man conceived the notion that Mr. Fairbanks was a very austere and undemocratic man, so much so that he formed an aversion to him that partook of activities against him. Those of us who were the political friends and associates of the then coming senator were very anxious about the conduct of our friend at Logansport towards the then candidate for senator. The man had been my boyhood friend, and I was selected to attempt to mollify him, and this is the way I did it, without mentioning any names. I said to him, "You don't know Mr. Fairbanks. Won't you take my word for it that he is anything but what you have in mind?" He was a man very gifted in language himself, and was capable of using very forceful and strong language, and he did. I said to him, "Won't you do me a favor, and do yourself the honor of inviting him to your house, that you may know him?" After some little hesitation and debate about it, he did, and from that hour until this moment he has been an ardent friend of Senator Fairbanks, and he told me afterwards, "I did not know him. I did not know that his reticency was the reticency simply of a refined gentleman. I thought he was not democratic enough, but my mind is entirely changed," and from that day to this, whenever the occasion came for the senator to come to Logansport, he was the guest of my friend, and his only. That is simply an instance, and I doubt not there were a great many of like character.

When you turn to his professional and business career, we must all admit that it has been one of remarkable success. There are few in our profession, as you know, gen-

tlements, who combine both these qualifications—professional ability and business sagacity. These were developed in our dead friend to an unusual degree. The exactions made upon him during his life, and especially in later years, after he became a public character, were severe, and yet I think I may well say that no man ever saw the evenness of his temper interrupted—coupled with his uniform courtesy towards those with whom he might be associated or against whom he might be pitted; it was the same—and his business sagacity was of a far-reaching character and, well balanced, so that he came to the end of his life, not only full of honor—not full of years, because he went away all too soon—but leaving to those who are left, a legacy of a high character, and coupled with it a provision for their comfortable subsistence, a duty which every man owes, and which we all try to discharge with more or less success.

One other thing, gentlemen, I want to speak of. I suppose that the senator would hardly be regarded as a highly constructive statesman, and yet, gentlemen, I dare say in this presence, and I challenge its successful contradiction, that no man in this country during his public career sensed the conscience of the nation more closely than did Senator Fairbanks. Think it over. I think it is the one remarkable feature of his career and his life. He sensed the conscience of the people of America in every phase of it. Some of our public men sensed it in one phase—the political phase—others sensed it in another direction, along educational lines, along the lines of philanthropy; but he covered the whole ground. He took within the grasp of his mind the whole scope of the institutions of America—our institutions—and he was firm in his convictions regarding them, pronounced in his declarations respecting them—a firm

adherent of all which goes to make the great country which we possess, and pride ourselves in belonging to.

Those are characteristics, gentlemen, which occur to me as being those of our dead friend. It was permitted me to know him not so well in earlier life, but from the time he came here I did know him in a friendly way, and after he became a man of public life, it became my pleasure to know him well, to esteem him highly, to regard what he said as a man who listened well. He was a patient listener, a good listener, and he was an observant listener, and it took in all phases of humanity. To my mind, gentlemen, these characteristics which I have observed were but the workings of the great mind and the great character of a man who did honor to his day, to us as a people, and through every walk of life conducted himself as becomes an American gentleman, a man of honor, a man of refinement and a man of the highest character.

CHAIRMAN HARVEY: I will call upon Mr. John B. Cockrum.

MR. COCKRUM: Mr. Chairman and Gentlemen of the Bar: It is a sad duty imposed upon me to say a word upon this occasion which is full of sadness and solemnity for each and all of us. We have met to pay the last tribute of respect, as lawyers, to our distinguished fellow citizen, Mr. Fairbanks. No member of the Indiana Bar has attained a higher standing throughout the country as a lawyer, a statesman, a citizen, a patriot and a man of various worthy attainments than he. He was an earnest, loyal and devoted friend and neighbor. He was called by the people of his adopted state to fill the high position of United States Senator, and rendered such service in connection with that po-

sition that the people of the country called him to the second highest place within the gift of the government and elected him Vice-President of the United States. In each of these high places he proved himself to be of the highest order of men. His life was full of great works and good deeds. During all of the time that he was occupying the distinguished positions to which I have referred he at no time lost opportunity to prove to any and all his friendship and loyalty to his neighbors and fellow citizens and to the citizens of his state with whom he was most intimately acquainted and associated. His high position and employment in the work to which he was called by the people and the extreme activity imposed upon him in his various public positions did not in any manner deter him from doing the things at any and all times that would be helpful to those near to him.

He was a home man. He loved to travel and loved to mingle with the people. He was called into all sorts of meetings and assemblies to give counsel and advice and to give cheer and comfort to his fellow man, and always was ready and willing to respond to an invitation extended to him wherever and whenever he could be of assistance to others, but while he loved to travel and mingle with the people at large, he never forgot his home. He loved his home people; he loved his home and his family, and he was loyal always to those most intimately and immediately associated with him in whatsoever capacity. He was true as steel in every line of life.

He was a kindly man. His example and work in public and private life have been such that any one can safely follow it and thereby be benefitted, and of all the men I have

ever known he was the most steadfast and firm in his devotion to the interest of his neighbors. He lost no opportunity at any time to show and prove his interest in his friends, and right here I wish to speak of a personal incident.

Mr. Fairbanks was my friend from my early boyhood and always unselfishly did the things he could to help me as well as other young men who were striving to get along. When our railroad, the L. E. & W., was purchased by the New York Central interest, of course, there was a question as to what would become of the various officers connected with the organization. Mr. Fairbanks at that time was in Washington, busily occupied with his duties as United States Senator. He saw the notice of this transfer and at once wrote to Senator Depew, who was at the head of the New York Central property, suggesting to him that he wanted to know what my relationship would be. I knew nothing of this, until it went around through the various departments of the various companies interested and finally reached the Lake Shore road that had become the actual purchaser of the property, and then the president of the road sent me a copy of a letter he had written to Mr. Fairbanks in which he stated that my position would not be interfered with. Mr. Fairbanks, after he got this letter from President Newman, assembled all the correspondence together and sent me the entire file from Washington. This is merely an illustration of the kindly, gentle, interest that he took in his friends, unselfishly and unasked.

He was a lawyer of pronounced ability and a statesman of wide range. He performed great things in a quiet way and successfully rendered every service devolving upon him.

He was a man without guile and without pretense—honorable, honest, truthful, devoted and true—a genuine man.

Indiana has lost her leading citizen in the death of Mr. Fairbanks. His place will not soon be filled. Men of his worth and character are not to be found on a moment's notice. He was an exceptional man; his life was an exceptional life; his example, to my mind, is an exceptional example. It is with deepest sorrow that I record these words as a tribute to his memory and I bid him, as one of my most devoted friends—a sad farewell.

CHAIRMAN HARVEY: Is the Committee on Memorial ready to report?

MR. MARTINDALE: Mr. Chairman and Gentlemen of the Bar, your committee reports as follows:

MEMORIAL.

Charles Warren Fairbanks, member of the Bar of Indiana; United States Senator from this state (1897-1905); member of the Joint High Commission of Great Britain and the United States for the settlement of the Alaskan boundaries, and other disputes (1898); vice-president of the United States (1905-1909); departed this life June 4, 1918, at his home in Indianapolis.

He was born on a farm near Unionville, Union county, Ohio, May 11, 1852, the eighth in descent from Jonathan Fayerbanke who came from England to America in 1633 and settled in the Massachusetts colony.

His ancestors were New England Puritans. He was graduated from Ohio Wesleyan College, Delaware, Ohio, in 1872, and after a short service with the Western Associated

Press at Pittsburgh, went to Cleveland, where he studied law and was admitted to the bar in 1874, and in that year was married to Miss Cornelia Cole, of Marysville, Ohio, and moved to Indianapolis, to enter the legal department of the Indianapolis, Bloomington & Western Railroad Company. He realized from the start that there was much and varied work to do in the position he had accepted and that he could accomplish it only by great and persistent industry. He gave himself unsparingly to the task and there laid the foundation for his later legal business successes, and by 1880, he had become general solicitor of that railroad.

He continued in the active practice of his profession until his election as Vice-President, from which time the demands of public business largely withdrew him from that vocation.

His talent for executive management and his business sagacity drew to him a lucrative practice having to do with the reorganization of railway properties, and he was engaged in some of the cases which settled the principles of equity as to the priority and distribution of assets to creditors of insolvent railroad corporations. In the central West, he was one of the first lawyers to be recognized as a business counselor in large affairs; this because of his legal experience and temperamental aptitude. He was a specialist in our profession, when specialists were few. To acquire and to maintain such a position required professional knowledge and skill of a high order. This professional knowledge and training which won him his place as a lawyer also later stood him in good stead in his political career.

He early affiliated with the Republican party in Indiana and took an active interest in its policies and candidates.

In 1888, he was a delegate to the National Convention of the Republican Party and supported the candidacy of Judge Walter Q. Gresham against Benjamin Harrison, who received the Republican nomination for the Presidency. In the Republican National Convention of 1892, Mr. Fairbanks was chairman of the Indiana delegation and supported the candidacy of President Harrison for renomination. From that time until shortly before his death, he was a national figure in politics.

In the presidential campaign of 1896, the critical issue was the monetary standard. Mr. Fairbanks had committed himself to the gold standard and was influential in fixing that policy in the principles of the Republican party.

Elected to the Senate of the United States, in 1897, his close friendship with President McKinley as well as his conservatism in all matters relating to monetary and fiscal policies of the government brought him into prominence.

In 1898, he was made chairman of the representation of the United States in the Joint High Commission appointed by convention between Great Britain and the United States for the settlement of the disputes then existing between Great Britain and the United States as to the Alaskan boundaries, fishing and mining rights, the armament of vessels on the Great Lakes, and reciprocal customs duties.

The great qualities of patience, fairness and business acumen as well as his painstaking care as a lawyer and negotiator made him a marked figure in the distinguished company that composed that commission.

In 1905, he became Vice-President of the United States. In this office, he so administered the difficult duties of pre-

siding officer of the senate as to win the confidence and friendship of the entire membership of that body on both sides. His unfailing courtesy, patience, and tact were conspicuous and his rulings were never questioned. Only on one occasion was he absent from the sessions of the senate during his term of office.

In 1908, he was voted for in the Republican National Convention for the presidential nomination.

After retiring from the office of Vice-President, he made a trip around the world, spending several months in Japan and China.

In 1908, he was the representative of the United States at the tercentenary celebration in Quebec. He was the chairman of the committee on resolutions in the Republican National Convention of 1912, and in that stormy gathering, his committee was the only harmonious one of the convention. He greatly deplored the acrimony displayed in that gathering and the great damage which his party suffered by reason of it.

In 1916, his name was presented as a candidate for the Presidency before the convention of his party and on the third ballot, it appeared likely that he would be nominated. After the nomination of Charles E. Hughes by the convention, and over his own protest, he was nominated for the Vice-Presidency. In accepting that nomination, he suppressed his own desires, for what he believed to be the good of his party. After the defeat of the Republican party in 1916, he devoted himself to his private affairs until the time of his death. He took a deep personal interest in all things pertaining to agriculture and forestry. From early man-

hood, he believed in land as an investment and acquired a very large amount of agricultural land, much of which was reclaimed from overflow by very considerable engineering work.

Mr. Fairbanks took participation in public affairs seriously. His convictions were deeply rooted and based upon a passionate, though quiet, devotion to his country. He believed that a man in public life should be careful in his utterances and was not at liberty to express light or careless views on public questions. His reserve and caution in this respect were often mistaken for political timidity. It was largely because of this quality in the man that he commanded, to so large a degree, the confidence of that portion of the people who represent conservative opinion. Slow in forming his opinions, once formed, he held them tenaciously. His friendships when formed were enduring. Once he had given his confidence to a friend, he was willing to stand by him and defend him to the last. He was never effusive, but was always cordial and his friendships were not confined to any class, or sect, or party. However, widely he might differ from others, there was never a place for bitterness in his nature. In his criticisms, he always found a place for honest motives. Invective was not a part of his vocabulary. He was interested in the welfare of the people and participated in every movement looking to the amelioration of the common lot and to the advancement of better citizenship. He gave generously to every public cause.

Mr. Fairbanks was greatly interested in the church of his adoption; was a member of many of the boards of the Methodist Episcopal church. It was his fortune to win and

hold an influential position in national affairs at a critical time in the history of his country. In the trying events of that period, he stood the test and in no small degree assisted in shaping the policies of the nation which later favorably affected its welfare and prosperity.

One of his conspicuous traits was his willingness to be a co-worker with others in any task which engaged his attention. He never sacrificed or jeopardized the accomplishment of the object in view to magnify himself.

As a public official he was faithful and sincere; as a neighbor, he was cheerful, cordial and helpful; as a citizen, he was zealously patriotic; and as a man, he left behind him to his children the heritage of a good name.

Indianapolis, May 7, 1918.

CHARLES MARTINDALE, *Chairman*,
CHAS. W. SMITH,
ALBERT BAKER,
JOS. B. KEALING,
NOBLE C. BUTLER,
AQUILLA Q. JONES.

MR. MARTINDALE: I have the honor to move the adoption of this memorial, and in doing so, if you will indulge me, I wish to say that I would esteem it a neglect if after a friendship extending over a period of more than forty years, I did not add a word of personal appreciation. I have known him and his family long and intimately. The memorial is not overdrawn. If anything, it understates the engaging qualities of Mr. Fairbanks as a neighbor and as a friend, always ready and more than ready to give his aid, his counsel and his assistance to his friends—always cheerful and

social. I think also that we who knew him here among us were too close to Mr. Fairbanks to appreciate his influence upon the welfare of the country at large and to estimate his worth to his country. It is my opinion, Mr. Chairman and Gentlemen, that in future years when the history of this country is to be written the name of Charles W. Fairbanks will appear large in the history of the period of his activities.

As a friend and neighbor, I deeply deplore his departure.

CHAIRMAN HARVEY: I assume it will be taken that the motion to adopt the resolution is seconded, but before putting the same to you for a vote I will call on one or two others. I will call on Mr. William L. Taylor.

MR. WILLIAM L. TAYLOR: Mr. Chairman and Friends: On returning to the city this morning I was asked to speak about our dead friend. It is unnecessary to talk about his public career, as that has been so well set forth in the memorial. To me the one striking thing about our dead friend and associate always has been that he was so misunderstood. He was the most misunderstood man that has walked in the white light of public sentiment and public opinion in this country in the last thirty years. The public and those who were strangers to him saw one angle of his nature, and we who knew him saw an entirely different angle. They thought he was cold and austere, and we knew that he was warm and hospitable and most cheerful in his disposition. They thought that he was extremely conventional, because of the character of his physique and the habit and type of his walk and conversation. We know that instead of being conventional he was exceptionally easily approached. They thought that he was puritanical in sen-

timent, because of certain temperance stories that were told about him. We all know that he was liberal and viewed all questions with the utmost freedom of thought. He was in favor of the widest liberty of man, woman and child. They thought that he was given to a rather narrow view of life. We know that he entertained the broadest possible views of life. I know of no man who constantly labored so hard as he to help others, and the truth is friends, that is all that is worth while in this life anyway. When you sum it all up about all there is in life that is worth anything, is what you can do for others.

I dare say that no man's name has appeared on so many subscriptions for the poor, the sick, the weak, and the afflicted, as has the name of Charles W. Fairbanks, in all the history of Indiana. I make no exceptions. He apparently loved to give. Hospitals were his passion because there the sick, the afflicted and the sorrowing were found. I happened to be associated with him here in some hospital work for some years past, and it was a joy to be thus associated. He must have known that he was stricken, yet passing along he gave words of cheer and comfort and consolation; and that was not all—his hands were open and always with money for the poor. He was a most liberal giver to all who appealed to him.

In public life he was a most misunderstood man. The public generally believed that he had no magnetism. On the contrary, he had the magnetism of the very highest order. The public believed that he aspired to the Presidency in the last Republican convention. We know he did not. The public believed that he used the vice-presidency as a screen with which to accomplish his purposes. We all

know that it took the earnest solicitation of fast and enduring friends to secure his consent to accept the honor, and it was only in the discharge of a public duty that he accepted the nomination for second place on the ticket. I think I can say without disparagement to the great President who now presides over the affairs of our Republic that because of the confused political situation on the Pacific Coast the voters were led away from our candidate for President, and if our dead friend whose body now reposes in the rotunda of this capital had been at the head of the ticket, he would have been President of the United States today.

Another strong phase of his character was that in victory or defeat Charles Warren Fairbanks stood steadfast, even if alone. He preached no new evangel. He taught no new doctrine; but as steady as the north star he kept on his way, and when defeat came and our country was swept into the awful vortex of war, he was one of the first great, tall giants of the Republic to take his stand by the President, with all his burdens and his sorrows, and from that hour until the last breath of his life he was one of the foremost friends of the Republic and one of the aiders and supporters of the weary man that has so much to do.

He was a glorified man in this respect, and, oh, the pity of it all, that when the very tide of war seems almost ready to engulf us, when it now seems so dark—the pity of it all is that this great, strong giant should have to leave the world and not help us stand up and battle against the tide. Oh, how he would love to do it if he were here, and when the tide shall recede, which it will, and homes shall have to be reconstructed and the fallow fields again shall have to be recultivated and the scars and wounds of war shall have

again to be healed, oh, how he would like to be here to help do all this work. How he would like to give of his bounty, which was great, and out of the greatness of his heart how he would love to be here to give, to do, to help and to save. But he cannot, and more is the pity—and, oh, how everybody here is going to miss him, easily the foremost citizen of our splendid commonwealth. You have seen him so many times stop newsboys, buy a paper and pat them on the head and give them a coin and pass on; from newsboys to the greatest and strongest of our country all will mourn the loss of a friend as they pass along the journey of life.

CHAIRMAN HARVEY: I will now call on Mr. Martin M. Hugg.

MR. MARTIN M. HUGG: In Mr. Fairbanks the country has suffered a distinct loss. His public services caused him long since to substantially cease the active practice of the law. He was a good lawyer in all that the phrase implies. His reading was wide and extensive in subjects and he was thoroughly prepared to undertake and carry to completion the many important tasks committed to him, in private and public life. He was always a man who handled and was capable of handling large affairs. He had the knowledge and the ability to present his knowledge clearly and forcibly. He was at all times courteous and thoroughly enjoyed the respect and confidence of the courts and his fellow lawyers. Those that knew him best loved him most. He always bore himself with dignity and this caused a misapprehension of the man which was general. How it became current that he was cold and distant I do not know. He was neither. He was modest and not at all self-assertive. His seeming coldness grew out of this trait. The

report that he was cold certainly did not start from those who knew him. He respected himself and the place he occupied at the bar and before the public, and his manner and bearing made others respect him and his position. When with his friends and acquaintances, no one was more genial, kindly and considerate, and he made every one feel at ease. His life had been a very busy one. About two years ago he told me that he had been and was then giving substantially his whole time to public matters and the charities with which he was connected. At that particular time he was devoting a great deal of his time to the affairs of the Methodist Hospital of this city.

That he was not cold and unapproachable I had opportunity to know. That he was not a "good mixer," as we understand the phrase, is no reflection upon him. This he could hardly be and he was sincere and earnest in everything he undertook. He never adapted his course to catch any passing fancy of the people, nor did he stoop to catch their applause. He was a man of high character and high ideals and his very action measured up to his character and ideals. He was tactful and anybody who thought he possessed no humor certainly made a mistake. A number of years ago he spent a summer at Mackinac. There was then a hotel keeper at that place who knew everybody on the island and everything about everything. In short he was a character and Mr. Fairbanks and he became very well acquainted in a short time. That summer I was passing through Mackinac with Mr. Spaan. Mr. Fairbanks invited us to call. It was necessary for us to take a carriage and our friend the hotel keeper undertook to get one for us. The driver did not know how to reach the cottage where Mr. Fairbanks was staying as it was necessary to go

through a private way. Our friend at once volunteered to go along and show the place and he did so. When we arrived he took charge of us. Mr. Fairbanks was delighted to see us and we spent nearly an hour on the porch chatting with him. The cottage looked out on the straits and in a little while Mr. Fairbanks began to tell us of the work he and the others on the commission then adjusting the differences between our country and our neighbor on the north and stated that they were considering among other things the conservation of the fish supplies of the two countries on the Great Lakes, and that they were going to plant supplies of young trout at various places; not, however, about Mackinac, and this brought our common friend at once to the front. This shallow and prattling fellow at once took issue with Mr. Fairbanks and said the place to plant the fish was right out in the straits in front of us. Mr. Fairbanks suggested that this would hardly do as the spawn would be right in the line of the tremendous navigation at that place. Our friend vehemently claimed that this made no difference and that he knew. I felt embarrassed and humiliated by his conduct and particularly because I felt I was responsible for him being there. Mr. Spaan felt the same way as I did and showed his mortification. However, Mr. Fairbanks, calling our friend by his first name, genially met him in his own way and said: "I hadn't thought of that. We have been endeavoring to fully inform ourselves on this subject, and I now see we were entirely in the wrong. I know you have been here a long time and know all about everything around here and I am now convinced you are right and we are wrong." This satisfied our loquacious friend and Mr. Fairbanks put Mr. Spaan and myself at our ease again and our friend to this

day does not know that he was the subject of as fine a piece of genteel kidding as ever happened. After we left Mr. Fairbanks and were alone we had a good laugh and have many times since enjoyed the humor of the situation.

Mr. Fairbanks, though born in Ohio, was a thorough Hoosier. He was in every way identified with Indiana. The story of his life is part of the history of our state and we are proud of him. He had his full part in making history in our country. He believed in a nation big enough and strong enough to protect itself whenever the question required. The bar of Indiana has lost one of its greatest members, our city its most distinguished citizen, and all of us have lost a sweet, kind friend and neighbor. I feel a personal loss in his death.

CHAIRMAN HARVEY: Gentlemen, the motion to adopt the memorial is now before you for your action.

MR. AQUILLA Q. JONES: I believe Mr. Martindale moved the adoption of the memorial and I wish to make the motion so that a copy of the memorial be spread upon the minutes of the Supreme Court of this state, the Marion County Court, the Federal Court, and a copy transmitted to the family.

(The amendment was accepted by the mover of the motion and the motion as amended was put to a rising vote and carried unanimously.)

Whereupon the meeting adjourned.

George Ford

George Ford, long an honored member of this bar, was born in South Bend, State of Indiana, January 11, 1846, and died at said city, August 30, 1917.

His preliminary education was obtained in the schools of South Bend, Indiana. He immediately entered the law department of the University of Michigan and was graduated with the class of 1869.

He returned to his native city and at once entered upon the practice of law, becoming a member of this bar in 1869.

George Ford was a lawyer who appreciated in a marked degree that a lawyer owed to himself, to his clients, to his associates and to the bench, a high sense of right and wrong, and that duty done in strict integrity was the fairest heritage a lawyer could leave. He lived up to the priceless ideal.

George Ford was not an office seeker; he lacked the airs and ways of the average politician. Yet from mere force of fitness in the man he held many public positions. He served as prosecutor for the counties of LaPorte and St. Joseph for five consecutive terms from 1874 to 1884.

He was elected to Congress in 1884 and his work as congressman from this district marked him as a man of forcible character and deep convictions, who merited and held the sincere respect and admiration of his colleagues.

In the year 1914 he was elected judge of the St. Joseph Superior Court and acted in that capacity until death.

George Ford was an excellent lawyer. He possessed a keen and analytical mind and a sincere love for the truth. These attributes well fitted him for a place on the bench. As judge of the St. Joseph Superior Court he ceased to be a partisan and had no favorites, either as litigants or as judicial appointees. He was simply and purely judge of the court, his honesty and integrity never being questioned.

If the standing of this bar is measured by the standing of its members, we owe much to the life and character of Judge Ford. We are honored by the purity of his life as a lawyer and judge. His conduct as a member of our fraternity merits our praise and emulation and won for him the esteem and respect of all who knew him.

John Worth Kern

John Worth Kern, who died August 17, 1917, was born on a farm at the village of Alto, in Howard county, Indiana, December 20, 1849. He was graduated in law at Ann Arbor and entered into the active practice of his profession when slightly less than twenty years of age. He was admitted to the bar at Kokomo in 1869. In 1870 he married Julia Ann Hazzard. Two children were born to them, Julia and Fred. Mrs. Kern died in August, 1884, and he was married to Araminta A. Cooper of Kokomo in December, 1885.

Between 1872 and 1884 he served a period of seven years as city attorney of Kokomo. In 1884 he was elected as Reporter of the Supreme Court of Indiana. In 1892 he was elected as State Senator from Marion county. At the expiration of his term as Reporter of the Supreme Court he

took up his residence and the practice of law at Indianapolis. From 1897 to 1901 he was city attorney of Indianapolis, under Mayor Thomas Taggart. In 1900 he was nominated for Governor, but was defeated by Col. W. T. Durbin. In 1904 he was again nominated for Governor and defeated by J. Frank Hanly. In 1904 he was nominated on the Democratic ticket for Vice-President of the United States, as a running mate of William Jennings Bryan. In 1910 he was elected to the United States Senate, where he served with distinction and credit to his state and party until 1916, when he was defeated by the present Senator Harry S. New.

At a memorial meeting of the Indianapolis Bar, held August 23, 1917, the following resolution was adopted:

"When John W. Kern passed over the river into the eternity beyond, the cause of true democracy lost a champion who was ever ready to enter the lines in her favor. Not even the certainty of defeat could dampen his courage or cool his ardor in a cause which he believed to be just.

"To him was given a far extended and varied career. There was in him an element of leadership which, without self-seeking forwardness, ever compelled him to the front. In boyhood, early manhood and the ripened maturity of years he was one to whom his fellow men looked for guidance and leadership. His qualities were so attractive, his influence so potent, that his friends arose on every side, ready of their own accord to yield him precedence and honor.

"Intense and earnest he always was—every ready to stand up vigorously for those things in which he believed. His democracy was of the most stalwart and militant char-

acter. He was persistent in it, because he so thoroughly believed its basic principles to be founded in the right and to be for the good of the people as a whole. His intensity of belief and earnestness in the cause which he espoused made him always a hard fighter. He never withheld his hand. He always struck hard with all the force and vim there was in him; yet with it all, there was no bitterness. Although he often cut to the quick, his speech did not have the elements of wormwood and gall which rankle in the wounds after the conflict is over.

"He had a wonderful knowledge of men and their motives, which was a potent factor in his career both as a lawyer and a statesman.

"His intensity, honest and incorruptible ability of filling the many offices conferred upon him, whether municipal, state or national, with fidelity and integrity, was such that not even his most bitter political antagonists ever undertook to throw shadow upon his good name. In every position he ever held, from that of city attorney in his home town of Kokomo in his boyhood days, to the great office of Senator of the United States, and floor leader in the Senate, with which his long and successful career was rounded out, he brought to the performance of his duties such loyalty and fidelity to the people, such capacity to render them service, that he has ever reflected honor upon his friends, his party and his state.

"Labor always found in him a true friend. He never failed to stand openly and actively for all legislative measures which would fairly aid its cause. He had no patience with special privilege. He thoroughly believed in the equal-

ity of manhood and the opportunity which this country afforded for it.

"His was a peculiarly attractive personality. His social qualities were of the highest—a most interesting conversationalist, bubbling over with wit and humor. His mind was a veritable storehouse of reminiscence and anecdote. His friends never tired of personal intercourse with him. Sweet-spirited and lovable, he bound them to him as by grips of steel, and so developed were these qualities that his life-long antagonists at the bar and in the political arena were nevertheless to be counted among his warmest personal friends.

"There was never any doubt as to where he stood. He was always frank and outspoken. Great as a leader, lovable as a man, ever loyal as a friend, true to every trust, faithful in all the relations of life, genial, courteous, his memory will live with us so long as life itself shall last.

"The cause of true democracy has lost one of its ablest exponents. The nation, the state, the whole people, indeed, have lost a most faithful servant. We have lost a loyal friend. His wife and children have suffered a loss which is irreparable. He has left to them, however, a good name, which is the most precious part of their heritage."

Gustavus V. Menzies

Honorable Gustavus V. Menzies, a prominent member of the Posey County Bar, died at his home, Mount Vernon, December 15, 1918, aged 73.

Major Menzies had been practicing law in Posey county for over forty years, being one of the county's most noted

attorneys. Like many other successful lawyers he had taken an active interest in politics and on several occasions figured prominently in the national councils of the Democratic party.

He was a graduate of the United States Navy Academy at Annapolis, Maryland, in 1864, and served in the Navy until 1867; was Flag Lieutenant to Dahlgren and Turner in the South Pacific Squadron from 1867 to 1869. In 1871, he resigned from the Navy as Lieutenant Commander and settled in Mount Vernon. He was a member of the bar of the United States Supreme Court; a member of the Grand Army of Legal Alliance; twenty-five years a member of the Board of Control of Indiana Soldiers and Sailors Monument. At the time of his death he was a member of the Naval Association; also, a member of Army and Navy Club at Washington, D. C. In 1876 he was Democratic Presidential Elector and served as a member of the State Senate from 1879 to 1883. Four times he was delegate-at-large and twice district delegate of the Democratic convention; twice Democratic candidate for Congress in First District of Indiana; twice Democratic caucus nominee for United States Senator and a member of the commission appointed by the United States Supreme Court to establish a boundary line between Indiana and Kentucky opposite Green river island. He had been admitted to practice in all courts, both State and Federal.

Major Menzies possessed the natural attributes of a great lawyer in addition to being a close student of the law all his life; was possessed of a well-balanced legal mind and was a fearless and forcible advocate, and as a trial lawyer had few equals in the country.

The loss of his influence will be felt in more places and in more ways than it is possible to either comprehend or adequately express. His demise creates a void in the membership of the State Bar Association which it will be difficult to fill.

Robert S. Taylor

Robert Stewart Taylor was born near the city of Chillicothe, Ohio, May 22, 1838, and died at his home in Fort Wayne, Indiana, January 28, 1918.

Judge Taylor was the dean of the bar of Allen County, and enjoyed the respect of countless friends. He was the son of Isaac N. and Margaretta Stewart Taylor. The father was a Presbyterian minister, a pioneer of his church in western Ohio, and was located at Celina and St. Mary's before his removal to Jay County, Indiana. At that time Robert Taylor was six years old. He spent his boyhood in the vicinity of Portland, when that country was a wilderness and he knew the hardships experienced by the sturdy pioneers, who founded this state on the rock of their toil. Liber College, near Portland, was founded by his father, who always had at heart the higher interests of education. It was here that Robert Taylor obtained the excellent preliminary training which followed the instruction he had received in the common schools of that section. In the spring of 1858 he was graduated from Liber College, and within a few minutes thereafter was united in marriage to Miss Fanny Wright. Mr. Taylor and Miss Wright were classmates, and after the graduation exercises they announced to his father their desire to be married. Rev.

Taylor performed the ceremony and the young couple moved to Portland, where he commenced the reading of law in the office of Judge Jacob M. Haynes of that city. In November, 1859, Judge and Mrs. Taylor moved to Fort Wayne and here he continued his study of law, spending part of his time in teaching school. Within a year he became a clerk in the office of Judge Ninde, prominent member of the Allen County bar. Two years later a partnership of Ninde and Taylor was formed. Col. Robert S. Robertson was taken into the firm in 1866. Upon the establishment of the criminal court in Fort Wayne in 1868 Judge Taylor was appointed its first prosecuting attorney. The same year the firm of Ninde, Taylor & Robertson was dissolved and Judge Taylor was appointed judge of the Court of Common Pleas. This position he held until the following election, when he was chosen to represent Allen County in the Indiana General Assembly. Fort Wayne is indebted to Judge Taylor for its street car system, for a bill making the system possible was introduced in the Assembly by him. Judge Taylor was elected to the Legislature on the Republican ticket, and was one of the few Republicans ever elected to that position from this county. He defeated William B. Walter, the regular Democratic nominee. His election, however, resulted from a fusion movement, and he illustrated his conscientious regard for his principles when taking his seat in the house, and recognizing that he had been chosen by fusion votes, he declined to enter the Republican caucus or to be bound by the decisions of that body, though afterwards he acted in Republican movements in the Assembly. In the profession of law Judge Taylor was alone in practice most of the time, but for a short period was associated with Samuel L. Morris under the

firm name of Taylor and Morris. In 1902, Judge Taylor took as a partner his nephew, Elwin M. Hulse, and since the fall of that year the firm has been Taylor and Hulse.

Judge Taylor was a charter member of the American Bar Association and for many years chairman of its Committee on Patent Law.

Judge Taylor's assistance to young men in the reading of law has been proved in the careers of many of the successful practitioners at the Allen County bar.

Judge Taylor was twice the nominee on the Republican ticket for Congress in this district. In 1874 his first race took place against Holman H. Hamilton, and again in 1880 he ran in opposition to Hon. Walpole G. Colerick of the Democratic party. He suffered defeat each time, but retained to the last a high seat in the councils of his party. Upon several later occasions he declined nominations as congressman, but few campaigns passed wherein some contribution of efforts upon his part for the success of his party were not given gladly. As a public speaker his easy, graceful and convincing manner made him greatly in demand.

What may be termed the most important public office ever held by Judge Taylor, which he occupied for many years, was his position as a member of the Mississippi River Commission, the National Board exercising general supervision over the improvements made by the government along its banks. He was an appointee of President Garfield in March, 1881, upon the election of General Benjamin Harrison to the Senate from Indiana. Judge Taylor retained his place, filling it with conspicuous ability through

all the various administrations and changing political conditions, and retired finally by resignation in 1914.

His appointment in 1897 to the Monetary Commission, called by the Executive Committee of the monetary conferences at Indianapolis, was an honor which he held in the highest regard.

During his career in patent law, which dated from the later eighties, his victory in the case of the Brush electric interests against Owens et al., which alleged infringement of patent upon the arc lamp, was a prominent achievement. In order to better state the case of his clients, Judge Taylor made an exhaustive study of electric lighting, and before the trial came up he had mastered that phase of electricity. This victory paved the way for the Fort Wayne Light Company's magnificent growth, as it established the right of all companies to continue the manufacture of arc lamps. Another case which brought Judge Taylor great renown was won through his long legal battle as the chief counsel for the Independent telephone interests against the Bell company. When the old Bell patents expired in 1893, which up to that time had given them a monopoly in the field, the independent telephone companies became active. The Bell retaliated immediately with a suit for infringement, asserting that the use of the old Bell transmitter gave ground for a suit against infringement of their patents. When the case was taken to the Court of Appeals the decision was based upon the validity of the invention with reference to its art, and the independent companies were granted the right to continue their use of the transmitter. Judge Taylor, while connected with the patent law, took part in many other cases involving apparatus of the tele-

phone industry. The Vandalia Railroad suit, instituted to collect delinquent taxes, was won by Judge Taylor, counsel for the state, when the higher courts awarded the State of Indiana judgment for over \$200,000.

In 1899 Judge Taylor's last prominent appearance in politics occurred, when upon the solicitation of friends from this part of the state, he ran for the nomination to the United States Senate. Although the support he received was in every way creditable to him, he was defeated by A. J. Beveridge, the Republican nominee.

Mrs. Taylor passed away five years ago. The surviving relatives are one son, Frank B. Taylor, of this city, now connected with the United States geological survey; two brothers, Samuel R. and I. N. Taylor, of this city, and two sisters, Mrs. Sophia T. Hulse of this city and Mrs. Bertha Rehm of Kansas City, Kas.

A Washington dispatch, March 6, 1914, tells of the work of Judge Taylor on the Mississippi River Commission as follows:

The retirement this week of Robert S. Taylor of Fort Wayne from the Mississippi River Commission, after serving as a member for thirty-three years, deserves more than passing notice. It is a noteworthy fact that the credit for planning and carrying forward the work of controlling the waters of the lower Mississippi River belongs to two Indiana men. The man who shares this honor with Mr. Taylor is Capt. James B. Eads, who built the jetties at the mouth of the river. The Mississippi River Commission was authorized by the Congress of 1879. The act of the Congress created a commission to be composed of three en-

gineers of the army corps, one from the coast and geodetic survey, two engineers from civil life and one private citizen.

Mr. Taylor was made a member of the commission at the beginning of the work of controlling the waters of the Mississippi. Only a few years before he was appointed to the commission, Captain Eads had come into national prominence as one of the great authorities on river hydraulics. The construction of the Eads bridge at St. Louis and the jetties at the mouth of the river had given him a popular fame perhaps unequaled by any other engineer of that day.

Captain Eads conceived the plan of water control which Mr. Taylor and other members of the commission afterward adopted and worked out with so much success. Eads was a member of the first commission, but he dropped out about the time Mr. Taylor went on. Men came to the commission, served a few years and went their way, but Mr. Taylor stayed on.

During the thirty-three years of Mr. Taylor's connection with the commission the government has expended on levees about \$25,000,000 and the states and riparian communities have expended 50 per cent. more. "The result has been a wonderful development of the country," Mr. Taylor told the Senate Committee. "A generation of people have grown up since the work began. They have acquired confidence in protection from the floods and the whole valley is alive with progress and prosperity. The value of land has increased prodigiously. I know I am not stating anything extravagant when I say that the value of the land in the valley since the beginning of the levee

work, under the co-operation of the government, had increased threefold from Cairo to the gulf on an average. The railroads are threading the country as thickly as in New England. Every form of business is in a state of the highest activity; factories, mills, banks and every agency of active business have multiplied to a surprising degree. All that is necessary to reclaim the whole valley completely and bring it all into a state of cultivation is surface drainage, and that work is now in active progress.

“There have been many drainage associations organized under the law, and drainage canals for carrying away the surface water are being built in all parts of the valley at great expense and with great energy. I repeat, as I said before, that I do not know where to look in the whole world and in all history for so splendid an example of reclamation as has been accomplished by the levees of the Mississippi river.”

An interesting sidelight of Judge Taylor's life is the fact that he was a composer of music, chiefly simple one-part and four-part songs for the common people. He began writing songs when he was 16 years old, and wrote several that have lived since those early days. He always wrote both words and music. In 1859 he took a short course in harmony and composition with W. B. Bradbury at Geneseo, N. Y. One of Judge Taylor's early songs—“O, Wrap the Flag Around Me, Boys”—was played by one of the bands at the funeral of Abraham Lincoln at Springfield, Illinois. The leader of that band was W. F. Heath, later teacher of music in Fort Wayne's public schools. In the busier years of his life, Judge Taylor did not have time

for work on his songs, but in recent years he has spent much time finishing and printing songs begun years ago. He has said that he believed he had written more songs than any other man in the United States, except Stephen Foster.

Articles of Association

OF THE

Indiana State Bar Association

ARTICLE I.

NAME.

The name of this Association shall be "The Indiana State Bar Association."

ARTICLE II.

OBJECT.

This Association is former, not for pecuniary profit, but to cultivate the science of jurisprudence; to secure the efficient administration of justice; to promote reform in the law; to facilitate proper legislation; to effect thorough legal education; to uphold and advance the welfare of the profession of law; and to encourage social intercourse among the lawyers of the State of Indiana.

ARTICLE III.

LOCATION.

The office of this Association shall be located and maintained in the City of Indianapolis, Marion County, Indiana.

ARTICLE IV.

SEAL.

This Association shall have a seal, which shall consist of a circular die with the words, "The Indiana State Bar Association," inscribed thereon.

ARTICLE V.

OFFICERS.

There shall be annually elected by ballot at the annual meeting thereof, the following officers of this Association: A President, a Vice-President, a Secretary, a Treasurer, and three members of a Board of Managers, all of whom shall hold their respective offices from the close of one annual meeting until the close of the succeeding annual meeting. Provided, that the by-laws may provide that the offices of Secretary and Treasurer be filled by the same person.

ARTICLE VI.

DIRECTORS—BOARD OF MANAGERS.

1. The business and prudential concerns of this Association shall be managed by a Board of Directors under the name and style of the Board of Managers, consisting of the President, the Vice-President, the Secretary and the Treasurer of the Association, together with three members of said Board to be annually elected.

2. The President of the Association shall be Chairman of the Board of Managers.

ARTICLE VII.**VACANCIES AND REMOVAL.**

1. Vacancies occurring in any office except that of President by reason of death, resignation or removal shall be filled by the Board of Managers until the next annual meeting, and in case of vacancy in the office of President, the Vice-President shall succeed.

2. The Board of Managers shall have the power to remove from office any incumbent who has removed from the State or who shall be guilty of immorality or misconduct in his relations to the Association or to his profession.

ARTICLE VIII.**MEMBERSHIP.**

1. Any member of the legal profession in good standing residing in the State of Indiana, may be admitted to active membership in the manner and upon the conditions prescribed by the by-laws.

2. The by-laws may provide for non-resident, life and honorary membership in the Association.

3. Each active member of this Association shall pay annual dues, in such amount and at such time and under such penalty as the by-laws may prescribe.

4. Members may withdraw from the Association in the manner and upon the conditions prescribed in the by-laws, and members may be suspended or expelled for such reasons and in such manner as the by-laws may provide.

ARTICLE IX.

MEETINGS.

1. This Association shall meet annually at such time and place as the Board of Managers shall select. Notice of such annual meeting shall be mailed to each member at least thirty days prior thereto. The annual meeting shall be conducted under such rules and regulations as the by-laws may prescribe.

2. Special meetings of this Association may be called at such times and places and for such purposes as the Board of Managers may deem necessary, but the business there transacted shall be such only as is designated in the call therefor.

ARTICLE X.

COMMITTEES.

The by-laws of this Association shall prescribe and define the duties of such committees as may be deemed necessary and the manner of their selection.

ARTICLE XI.

BY-LAWS.

By-laws may be adopted at any annual meeting of this Association by a majority vote of the members present. Until such time as by-laws are adopted, the by-laws of the State Bar Association of Indiana, in force July 8, 1915, shall so far as applicable govern this Association.

ARTICLE XII.

AMENDMENT.

These Articles of Association may be amended at any regular annual meeting by a two-thirds vote of the members present, provided not less than fifty members be present.

By-Laws
OF THE
Indiana State Bar Association

I.

MEETINGS—QUORUM—ORDER OF BUSINESS.

1. The Association shall convene at the place and hour indicated in the notice therefor.
2. The presence of twenty-five members shall constitute a quorum.
3. The Board of Managers shall prescribe the order of business and arrange the program for the annual meeting and shall cause a program thereof to be printed and distributed to the members.

II.

BOARD OF MANAGERS.

The Board of Managers shall have the management of the business and prudential concerns of the Association and shall have such specific powers and perform such specific duties as are conferred and imposed upon it by the Articles of Association and by-laws of the Association.

III.

PRESIDENT AND VICE-PRESIDENT.

1. The President shall assume the duties of his office on the adjournment of the annual meeting at which he is

elected. He shall, when present, preside at all meetings of the Association and shall at each annual meeting deliver the President's address.

2. In the absence of the President or in case of vacancy in the office of the President, his duties shall be discharged by the Vice-President.

IV.

SECRETARY AND TREASURER.

1. The Secretary shall keep a record of the proceedings of the Association and the Board of Managers and all matters of which a record shall be ordered by the Association or Board of Managers. He shall keep an accurate roll of the officers and members of the Association; shall notify officers and members of committees of their election or appointment; shall notify new members of their election and shall promptly furnish the Treasurer with the names and addresses of all new members. He shall issue notices of all meetings with a brief note in case of special meetings of the object for which they are called—notice of the annual meeting to be issued at least thirty days prior thereto. He shall upon the order of the respective chairmen thereof issue calls for all committee meetings. He shall superintend the publications of the Association as directed by the Board of Managers, and shall be the custodian of the records, archives, and seal of the Association. For his services he shall receive the sum of two hundred and fifty (\$250.00) dollars per year, and shall be reimbursed for stenographic and other expenses incurred by him in the conduct of his office.

2. The Treasurer shall keep at all times a complete roll of the members, shall demand, receive and receipt for all

moneys due to the Association, and shall safely keep and disburse the same under the direction of the Board of Managers. At each annual meeting he shall make a written itemized report of his receipts and disbursements. For his services he shall receive the sum of one hundred (\$100.00) per year, and shall be reimbursed for stenographic and other expenses incurred by him in the conduct of his office.

COMMITTEES.

1. This Association shall have the following standing committees:

1. Jurisprudence and Law Reform.
2. Legislation.
3. Legal Education.
4. Membership.
5. Grievance.
6. Necrology.
7. Entertainment.

2. Special committees may be authorized from time to time by vote of the Association.

3. Except as herein otherwise provided all committees shall be appointed by the President, by and with the advice and consent of the Board of Managers, and within thirty days after the annual meeting, and it shall be the duty of the Secretary promptly to notify the members of the various committees of their appointment.

4. Upon presentation of an itemized bill therefor, approved by the Secretary, the Treasurer shall reimburse committee members for actual traveling expenses in attending

such committee meetings as are not held in conjunction with the regular annual or special meetings of the Association.

5. Committee reports shall be in writing, signed by the chairman, and shall show what members thereof concur therein. All committee reports shall, so far as practicable, be filed with the Secretary a sufficient length of time before the annual meeting to enable the Board of Managers, if deemed advisable, to have such reports printed and distributed to the members before the annual meeting.

VI.

COMMITTEE ON JURISPRUDENCE AND LAW REFORM.

The Committee on Jurisprudence and Law Reform shall consist of seven (7) members. It shall be the duty of this committee to consider and report to the Association such changes in the law as, in its opinion, should be adopted; also to scrutinize proposed changes, and, when deemed necessary, report upon the same, together with its recommendations; also to observe the working of the judicial system of the State and to consider and report to the Association such changes therein and in practice and procedure as, in its opinion, should be adopted; also to scrutinize proposed changes therein and, when deemed necessary, report upon the same, together with its recommendations; also to consider and report such other matters affecting the interests of the profession, as in their judgment should be acted upon by the Association.

VII.

COMMITTEE ON LEGISLATION.

1. The Committee on Legislation shall consist of seven (7) members. It shall be the duty of this committee to

place before the General Assembly all measures recommended for passage by the Association, and to use all proper means to secure their enactment into law, and to oppose by all proper means such proposed legislation as the Association may direct; also to scrutinize proposed legislation and to observe such legislation as may be enacted by the federal congress and the legislatures of other States, and to report to the Association such as it may deem likely to be advantageous to the State of Indiana; also to report to the Association proposed legislation recommended by the Conference of Commissioners on Uniform State Laws and to assist in procuring the enactment of legislation proposed or approved by said conference.

2. In case of emergency arising requiring the action of the Association upon proposed legislation prior to the annual meeting, the Board of Managers shall have authority to take such action as may be deemed proper and shall make report thereof at the ensuing annual meeting.

VIII.

COMMITTEE ON MEMBERSHIP.

1. The Committee on Membership shall consist of one member from each Congressional District, together with the Secretary and Treasurer. It shall be the duty of this committee to pass upon all applications for membership and to report at each annual meeting the names of those recommended for membership.

2. This committee shall meet the day before each annual meeting, and its proceedings shall at all times be secret and confidential.

IX.

COMMITTEE ON LEGAL EDUCATION.

The Committee on Legal Education shall consist of seven (7) members. It shall be the duty of this committee to examine into the systems of legal education and requirements for admission to the bar, and to report such recommendations to the Association relative thereto as it may deem advisable.

X.

COMMITTEE ON GRIEVANCES.

The Committee on Grievances shall consist of seven (7) members. It shall be the duty of this committee to investigate complaints preferred by any reputable person, or it may make investigation upon its own motion, in the following classes of cases:

First—Against any member of the Association for fraud, crime, or immorality, or for misconduct in his relations to the Association or in his profession.

Second—Against any attorney or any person pretending to be an attorney, practicing the profession in any manner in this State, who is not a member of the Association, for fraud, crime or gross unprofessional conduct.

Third—Concerning any other grievance touching the practice of law, judicial conduct or the administration of justice.

If the committee is of the opinion that the matter should be heard it shall cause the complaint to be put in writing,

signed by the complaining party, or by the chairman of the committee if such investigation be undertaken by the committee on its own motion, and shall fix a time and place of hearing, and shall cause notice of the time and place of hearing, together with a copy of the complaint, to be mailed by registered letter to his last known place of business to the party complained of and to the party preferring the complaint.

At the time and place appointed for hearing the complainant and defendant shall each be allowed to appear personally and by counsel and produce their witnesses; Provided, that in case of charges against a member of the Association, no counsel who is not a member of the Association shall be permitted to appear.

The defendant may file an answer and the committee shall then proceed to a hearing of the matter upon the complaint and answer and evidence produced. The committee may, either on its own motion or upon request of either party, summon other witnesses, and if such witnesses be members of the Association their refusal to attend shall be deemed to be misconduct in their relations to the Association.

Five (5) members of the committee shall constitute a quorum for the hearing and determination of the case, but a less number may adjourn from time to time.

If, upon hearing, the committee finds the complaint or any material portion of it to be true, it shall so report to the next annual meeting with its recommendations as to the action to be taken thereon, and may, in its discretion, report the evidence, or such portion thereof as may be requested by either party.

If, however, in the opinion of the committee, the matter is not such as to require action at the annual meeting of the Association, or is of such a character that in the opinion of the committee, action should be taken prior to such meeting, the committee shall report to the Board of Managers, which shall have authority to take such action in the premises, other than expulsion from the Association, as may be deemed proper, and may appoint some member of the Association as counsel in the matter.

All of the foregoing proceedings shall be secret and confidential, except as their publication is herein provided for.

The reasonable disbursements for expenses incurred in any investigation, trial or prosecution undertaken by reason of the filing of a complaint as herein provided, shall be paid out of the funds of the Association upon order of the Board of Managers.

XI.

COMMITTEE ON NECROLOGY.

The Committee on Necrology shall consist of three (3) members, of whom the Secretary shall be one. It shall be the duty of this committee to report to the annual meeting the names of all the members who shall have died during the year, and to prepare suitable biographical sketches for publication in the printed proceedings of the Association.

XII.

COMMITTEE ON ENTERTAINMENT.

The Committee on Entertainment shall consist of five (5) members, including the Secretary and the Treasurer. It shall be the duty of this committee to procure a suitable

place in which the sessions of the Association may be held at the place and time designated by the Board of Managers, to provide suitable entertainment for the members of the Association in attendance at the annual meeting, and to arrange for the annual banquet.

XIII.

DUES.

The dues of this Association shall be five (\$5.00) dollars per year, payable annually in advance on the first day of January of each year. Any member who neglects to pay his dues for any year at or before the next annual meeting shall not be entitled to any of the privileges of membership and shall upon direction of the Board of Managers be dropped from the roll of members. The Treasurer shall give notice of this by-law at least sixty days before each annual meeting to all members in default.

XIV.

NEW MEMBERS.

All applications for membership in the Association shall be made in writing; shall show the place of residence (with office address in cities) of the applicant and shall bear the endorsement and recommendation of two members of this Association. All such applications shall be filed with the Secretary at least ten days prior to the next annual meeting. The Secretary shall refer all such applications to the Committee on Membership and shall immediately give notice of the pendency of said applications to the Secretary of the affiliated Bar Association of the county where the applicant

resides, or in the absence of an affiliated Bar Association to some member of the Association there residing.

After said application shall have been on file for at least ten days the Committee on Membership shall by ballot determine whether the applicant shall be admitted to membership, and when it has approved of a name presented, it shall report such person to the annual meeting of the Association, who shall thereupon become a member. Provided, however, that if any member of the Association demand a vote upon any name thus presented the Association shall vote thereon by ballot and five negative votes shall be sufficient to reject such person. Upon the election of a person to membership the Secretary shall promptly notify such person of his election, and such person shall upon receipt of such notice remit to the Treasurer the sum of five (\$5.00) dollars as dues for the current year.

XV.

NON-RESIDENT MEMBERS.

Any member of this Association in good standing, who shall remove from the State of Indiana, may, by filing his written request with the Secretary, be continued as a non-resident member and entitled to receive the publications of the Association upon payment of annual dues of two (\$2.00) dollars.

XVI.

LIFE MEMBERS.

Any member of this Association in good standing may for good cause, by vote of the Association, upon the recommendation of the Membership Committee, at any annual meet-

ing, be continued as a life member of the Association without the payment of dues.

XVII.

WITHDRAWAL AND EXPULSION.

1. Withdrawal from membership may be effected by application to the Secretary and the payment of all unpaid dues, including those of the current year.

2. Any member of the Association may be suspended or expelled by the Board of Managers for the non-payment of dues, or by a majority vote of the Association for fraud, crime or immorality or for misconduct in his relations to the Association or in his profession, or in a judicial office.

XVIII.

AFFILIATED ASSOCIATIONS.

1. Any county or city bar association within the State of Indiana may become affiliated with this Association on application filed with the Secretary at any time. Such application shall be in writing, signed by the President and Secretary of such local association, and shall state the name and object of such association and the number of its members. Such application shall be presented to the next succeeding annual meeting of this Association and favorable action thereon by a majority vote shall constitute the applicant an affiliated association.

2. Each affiliated association shall be entitled to at least one delegate to represent it in this Association, and if such affiliated association have twenty or more members it shall be entitled to two delegates for every twenty members or the major fraction thereof.

Such delegates shall be entitled to all the privileges of membership at and during the meetings of this Association.

Such affiliated association shall nominate and properly accredit such delegates to the Secretary of this Association at least ten days prior to the annual meeting of this Association.

XIX.

REPRESENTATIVES.

The President, during vacation, may appoint one or more members to represent the Association, and promote its interests on any occasion deemed expedient by him; and over his official hand, attested by the Secretary, duly accredit him as such representative.

XX.

PUBLICATIONS.

The Board of Managers shall cause the proceedings of the annual meeting to be published and distributed yearly and shall also cause to be published and distributed such other matter as the Association shall direct or said Board may deem advisable to be published and distributed.

XXI.

AMENDMENT.

These by-laws may be amended at any annual meeting of the Association by a majority vote of the members present, provided not less than twenty-five members be present.

Historical Sketch

The State Bar Association of Indiana was organized on June 23, 1896, at a meeting held in the hall of the House of Representatives, in the State House, at Indianapolis, pursuant to a call issued by the Marion County Bar Association.

The meeting was called to order by Samuel O. Pickens, President of the Marion County Bar Association. Judge John H. Baker was elected Chairman of the meeting and John T. Beasley Secretary. At this meeting Articles of Association were adopted, and signed by one hundred and ten charter members.

The following officers were elected for the first year:

President—Gen. Benjamin Harrison.

Vice-President—John G. Williams.

Secretary—John R. Wilson.

Treasurer—Noble C. Butler.

The first regular meeting of the Association was held at Indianapolis on June 23, 1897, at which by-laws were adopted and the same officers were re-elected for the ensuing year.

At the annual meeting in July, 1914, a special committee was appointed for the purpose of considering a revision of the Articles of Association and by-laws. This committee reported proposed new articles and by-laws at the 1915 meeting, which were ordered to be printed in the proceedings and laid over for action at the 1916 meeting, at which meeting they were adopted in the present form, and the name was changed to the Indiana State Bar Association.

Former Officers

PRESIDENT

1897. Benjamin Harrison	1908. Dan W. Simms
1898. John R. Wilson	1909. John T. Dye
1899. Robert S. Taylor	1910. William A. Ketcham
1900. Edwin P. Hammond	1911. Samuel Parker
1901. Theodore P. Davis	1912. Frank E. Gavin
1902. Truman F. Palmer	1913. John L. Rupe
1903. William P. Breen	1914. Thomas E. Davidson
1904. Addison C. Harris	1915. Robert W. McBride
1905. Charles L. Jewett	1916. William A. Hough
1906. Daniel Fraser	1917. Inman H. Fowler
1907. Merrill Moores	

VICE-PRESIDENT

1897. John G. Williams	1908. John T. Dye
1898. Leander J. Monks	1909. Enoch D. Hogate
1899. Timothy E. Howard	1910. Thomas E. Davidson
1900. William A. Kecham	1911. John W. Hanan
1901. George L. Reinhard	1912. John L. Rupe
1902. William P. Breen	1913. Thomas E. Davidson
1903. Oscar H. Montgomery	1914. Robert W. McBride
1904. Daniel Fraser	1915. William A. Hough
1905. Daniel Fraser	1916. Inman H. Fowler
1906. Dan W. Simms	1917. Ernest R. Keith
1907. Dan W. Simms	

SECRETARY

1897. John R. Wilson	1908. George H. Batchelor
1898. Noble C. Butler	1909. George H. Batchelor
1899. Merrill Moores	1910. George H. Batchelor
1900. Merrill Moores	1911. George H. Batchelor

FORMER OFFICERS**237**

1901. Merrill Moores	1912. George H. Batchelor
1902. Merrill Moores	1913. George H. Batchelor
1903. Merrill Moores	1914. George H. Batchelor
1904. Merrill Moores	1915. George H. Batchelor
1905. Merrill Moores	1916. George H. Batchelor
1906. Merrill Moores	1917. George H. Batchelor
1907. George H. Batchelor	

TREASURER

1897. Noble C. Butler	1908. Frank E. Gavin
1898. Theodore P. Davis	1909. Frank E. Gavin
1899. Theodore P. Davis	1910. Frank E. Gavin
1900. Theodore P. Davis	1911. Frank E. Gavin
1901. Frank E. Gavin	1912. Elias D. Salsbury
1902. Frank E. Gavin	1913. Elias D. Salsbury
1903. Frank E. Gavin	1914. Elias D. Salsbury
1904. Frank E. Gavin	1915. Elias D. Salsbury
1905. Frank E. Gavin	1916. Elias D. Salsbury
1906. Frank E. Gavin	1917. Elias D. Salsbury
1907. Frank E. Gavin	

Presidents' Addresses

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1897.	BENJAMIN HARRISON....	"Promoting the Administration of Justice."
1898.	The President of the Association, Benjamin Harrison, being absent, the Vice-President, John G. Williams, presided and talked on "Our Association."	
1899.	JOHN R. WILSON	"The Origin of the Power of Courts to Declare Legislative Acts Unconstitutional."
1900.	ROBERT S. TAYLOR	"Judges."
1901.	EDWIN P. HAMMOND....	"Evidence."
1902.	THEODORE P. DAVIS.....	"Upholding the Honor of the Profession."
1903.	TRUMAN F. PALMER.....	"Circuit Courts of Indiana."
1904.	WILLIAM P. BREEN.....	"Divorce."
1905.	ADDISON C. HARRIS.....	"Procedure Abroad and at Home."
1906.	CHARLES L. JEWETT.....	"Our Code of Criminal Procedure."
1907.	DANIEL FRASER.....	"The Courts and the Legislature."
1908.	MERRILL MOORES.....	"The Enforcement of the Law."
1909.	DAN W. SIMMS.....	"The Law and the Lawyer."

1910. JOHN T. DYE....."The Work of the Bar Association."
1911. WILLIAM A. KETCHAM.."Organic Law."
1912. SAMUEL PARKER....."The Courts of Indiana and Progressive Legislation."
1913. FRANK E. GAVIN "The Mutability of Social Institutions."
1914. JOHN L. RUPE....."Taxation Under Indiana Laws."
1915. THOMAS E. DAVIDSON.."Respect for the Law."
1916. ROBERT W. MCBRIDE..."American Citizenship."
1917. WILLIAM A. HOUGH....."The Law and Civilization."
1918. INMAN H. FOWLER....."What Shall Be Done With the Mob?"

Annual Addresses

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1897.	LAWRENCE MAXWELL, JR.	"The Law as a Science."
1898.	WM. B. HORNBLOWER....	"Fifty Years of Reform Procedure."
1899.	WILLIAM WIRT HOWE..	"Legal Ethics."
1900.	WILLIAM LINDSAY	"The Pacification of Cuba in Its Legal and Constitutional Aspects."
1901.	Observed as John Marshall Day, and an oration on "The Chief Justice," delivered by Hon. William A. Ketcham, listed in the special addresses.	
1902.	BURTON SMITH.....	"Why Seek Ye the Living Among the Dead?"
1903.	WALTER S. LOGAN	"Legal or Legislative Remedies for Trust Evils."
1904.	HENRY ST. GEORGE TUCKER..	"Civil Liberty."
1905.	JOHN F. SIMMONS.....	"The Territorial Expansion of the Common Law Ideal."
1906.	HORACE H. LURTON	"The Evolution of the Right of Trial."
1907.	MERRIT STARR.....	"Legislative and Judicial Development of the Law Concerning Competition Contrasted."

1908. WILLIAM L. PUTNAM.... "The Reform of the Law."
1909. ALEXANDER P. HUMPHREYS.... "The Last Year With
the United States Supreme
Court."
1910. FREDERICK J. STIMSON.. "The Law of Combined Ac-
tion and Possession."
1911. PETER W. MELDRUM "Master and Servant."
1912. STEPHEN S. GREGORY.... "A Historic Judicial Contro-
versy and Some Reflections
Suggested by It."
1913. WILLIAM J. CALHOUN.. "Our Relations With China."
1914. ROME G. BROWN..... "Muckraking the Constitu-
tion."
1915. ANDREW J. MONTAGUE.. "The Monroe Doctrine."
1916. HAMPTON L. CARSON.... "Shakespeare as a Lawyer."
1917. CHARLES S. CUTTING.... "A Year's 'Elasticity' in the
Supreme Court of the United
States."

Special Addresses

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1900.	WILLIAM HOYNES.....	"The Law as an Educational Factor."
1901.	WILLIAM A. KETCHAM..	"The Chief Justice (John Marshall)."
1908.	FREDERICK N. JUDSON..	"Congressional Regulation of Employers' Liability."
1908.	WILL H. WHITAKER.....	"A Closer Relation Between Prison and Reformatory Officials and the Criminal Courts."
1909.	WILLIAM DUDLEY FOULKE....	"The Trouble With the Law."
1912.	CRYSTAL EASTMAN BENEDICT..	"Political Recognition of Women the Next Step in the Development of Democracy."
1914.	CLINTON ROGERS WOODRUFF....	"Constitutional Development and Municipal Life."
1915.	JAMES H. WILKERSON..	"The Next Step in National Control of Corporations."
1918.	ERNST FREUND.....	"Uniform State Legislation."

.Papers

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1897.	JOHN G. WILLIAMS	"Life and Character of Daniel W. Voorhees."
1897.	ROBERT S. TAYLOR.....	"The Inherent Function of Growth in the Common Law."
1898.	LEONARD J. HACKNEY..	"A Case on Appeal."
1898.	W. P. ROGERS.....	"Government by Injunction."
1898.	ADDISON C. HARRIS	"The Pending Amendments."
1899.	WILLIAM A. KETCHAM..	"Bench and Bar."
1899.	JOHN T. DYE.....	"Legislative Control Over Freedom of Contract."
1899.	TIMOTHY E. HOWARD....	"According to Law."
1899.	DANIEL W. COMSTOCK..	"Evidence in Criminal Cases on Appeal."
1900.	FRANK S. ROBY	"The Legal Right of the Next Generation."
1900.	EVANS WOOLLEN	"The Law and the Striker."
1901.	Observed as John Marshall Day, and an oration on "The Chief Justice," delivered by Hon. William A. Ketcham, listed in the special addresses.	
1902.	WILLIAM L. PENFIELD..	"Some Difficulties of Pan-America Arbitration."

1902. GEORGE L. REINHARD.... "The Right to Practice Law."
1902. WILLIAM W. THORNTON.... "The Constitutional Convention of 1850."
1903. ALLEN ZOLLARS "International Arbitration."
1903. JOHN L. RUPE..... "The Verdict of the Jury."
1903. FRANK S. ROBY..... "Indiana Courts of Appeal."
1904. CHARLES S. BAKER..... "The Ethics of the Profession."
1904. SAMUEL PARKER..... "Criticisms of Judges."
1904. CHARLES W. SMITH..... "The Jury System."
1905. LUCIUS C. EMBREE..... "Cases and Case Lawyers."
1905. THOMAS R. MARSHALL.. "The Lawyer's Conscience."
1905. ARTHUR W. BRADY..... "Some Phases of Historical Jurisprudence."
1906. JOHN W. KERN..... "Reminiscences of Some Great Indiana Lawyers."
1906. SOLOMON H. ESAREY.... "Suggestions as to Recent Criminal Statutes."
1906. SYDNEY B. DAVIS..... "Some Needed Judicial Reforms."
1906. JOSEPH M. RABB..... "The Trials of the Trial Judge."
1906. JESSE S. REEVES..... "Jeremy Bentham and American Jurisprudence."
1907. CHARLES W. MILLER.... "Our Practice."

1907. CHARLES KELLISON "The Value of Expert Testimony."
1907. ANDREW A. ADAMS..... "Legal Ethics."
1907. HARRY B. TUTHILL..... "Are Corporations Ill-Treated? And why?"
1908. JAMES L. CLARK..... "A Mixed Question of Law and Fact."
1908. GEORGE SHIRTS..... "Should Township Government Be Abolished?"
1908. JOHN T. DYE..... "Changes in the Constitution."
1909. JAMES S. DODGE..... "Indiana Courts."
1909. ADDISON C. HARRIS "Modern Views of Compensation for Personal Injuries."
1909. EMORY B. SELLERS..... "The State Bar Association of Indiana."
1909. CASSIUS C. HADLEY..... "Lawyers and Courts."
1910. GEORGE H. GIFFORD..... "Crude Legislation."
1910. CHARLES W. SMITH..... "Some Current Criticisms of Courts and Lawyers."
1910. CONRAD WOLF..... "The Spirit of Legalism in Indiana Practice."
1910. GEORGE A. CUNNINGHAM.. "The Everyday Lawyer."
1911. TIMOTHY E. HOWARD.... "Our Charters."
1911. LINN D. HAY..... "Making and Amending Constitutions."

1911. ENOCH G. HOGATE..... "Is There a Law's Delay?"
1912. W. W. THORNTON..... "The Constitutional Convention of 1816."
1912. LOUIS B. EWBANK..... "The Trial Court."
1912. CHARLES E. COX..... "Old Ways or Uncertain Seas."
1913. HARRY C. SHERIDAN..... "Comments on the Bankruptcy Act."
1913. SAMUEL E. COOK..... "Our Federal Constitution: Some of the Struggles Over Its Meaning."
1913. MERRILL MOORES "The Selection of Judges."
1913. MERLE N. A. WALKER.. "The Selection of Judges."
1914. STUART MACKIBBEN..... "Some Observations Regarding the Indiana Utility Commission Act."
1914. DANIEL W. SIMMS..... "Employers' Liability Legislation of 1911."
1914. EVANS WOOLLEN "The American Doctrine of Unconstitutionality."
1915. WILLIAM J. HOUCK "The Evolution of Jurisprudence."
1915. HARRY B. TUTHILL..... "Stub Beltz Runs for Circuit Judge."
1915. WILLIAM A. HOUGH..... "The Law and the Telephone."

1915. RICHARD M. MILBURN.. "The Fourteenth Amendment."
1916. STUART MACKIBBEN..... "The Authority of the Ordinance of 1787."
1916. WILLIAM A. KETCHAM.. "The Wages of Sin or The Glorious Uncertainty of the Law."
1916. WILLIAM A. PICKENS.... "Some Elements of Utility Valuations."
1916. SAMUEL R. ALDEN..... "Our Place in the Sun."
1917. NEWTON W. GILBERT.... "The Eclipse of the Constitution."
1917. QUINCY A. MYERS..... "The Constitutional Guaranty of a Republican Form of Government."
1918. CHARLES MARTINDALE.. "Americanism and War."
1918. LEX J. KIRKPATRICK "The Movement for Uniform State Legislation."

Officers of the American Bar Association

President—George T. Page, Peoria, Ill.

Secretary—George Whitelock, Baltimore, Md. (Munsey Bldg.)

Assistant Secretaries—W. Thomas Kemp, Baltimore, Md. (Munsey Bldg.),
Gaylord Lee Clark, Baltimore, Md. (Munsey Bldg.)

Treasurer—Frederick E. Wadhams, Albany, N. Y.

VICE-PRESIDENT FOR INDIANA

Charles L. Jewett, New Albany.

MEMBER OF GENERAL COUNCIL FOR INDIANA

Daniel Fraser, Fowler.

*Ernest R. Keith, Indianapolis.

LOCAL COUNCIL

Gus S. Condo, Marion.

Charles Martindale, Indianapolis.

Charles S. Baker, Columbus.

Thomas E. Davidson, Greensburg.

*George H. Batchelor, Indianapolis.

**Ex-officio.*

Alphabetical List of Members

*Life members.

†Deceased since July 11, 1918.

§In military service.

Adams, Andrew A. (Arbuckle Bros.).....	New York, N. Y.
§Adams, Robert A., 835 State Life Bldg.....	Indianapolis
Alden, Samuel R.....	Ft. Wayne
Allen, Arthur W.....	Washington
Allen, Henry C., 1019 Hume-Mansur Bldg...	Indianapolis
Amsden, William M.....	Marion
*Anderson, Andrew.....	South Bend
Andrews, Claude G.....	Peru
Applewhite, Ralph B.....	Brownstown
Arnold, Leroy O.....	Peru
Ashby, Samuel, 1308 Fletcher Trust Bldg...	Indianapolis
Atkinson, Edgar W.....	Auburn
†Ayres, Alexander C. 500 Indiana Tr. Bldg...	Indianapolis
Baird, Rochester.....	Lafayette
Baird, Samuel P.....	Lafayette
Baker, Charles S.....	Columbus
Baker, Francis E. (C. C. of App., Chicago) ..	Goshen

Ballard, Everett Guy.....	Gary
Bamberger, Ralph, 805 Mchts. Bank Bld.....	Indianapolis
Barker, Eleanor P., 810 Fletcher Tr. Bldg.....	Indianapolis
Barnes, Earl B.....	Kokomo
Barnes, Seba A.....	Seymour
Barnett, Fred.....	Hammond
Barrett, Charles E.....	Las Vegas, Nev.
Barrett, Fred E., 733 State Life Bldg.....	Indianapolis
Barrett, James M.....	Ft. Wayne
Barrows, Frederick I.....	Connersville
Bartholomew, Pliny W., 704 I.O.O.F. Bldg.....	Indianapolis
Bastian, Willits A., 610 Fletcher Tr. Bldg.....	Indianapolis
Batchelor, Geo. H., 1108 State Life Bldg.....	Indianapolis
Bays, Frederick F.....	Sullivan
Bays, Lee Fenton.....	Sullivan
Beasley, John T.....	Terre Haute
Beck, William S., 932 Lemcke Bldg.....	Indianapolis
Beckett, Wymond J., 24 Union Trust Bldg.....	Indianapolis
Beeler, William Henry.....	Bloomington
Bell, Joseph E., 835 State Life Bldg.....	Indianapolis
*Bell, Milton	Kokomo
Bernetha, Harry	Rochester
Berryhill, Jas. M., 805 Fletcher Tr. Bldg.....	Indianapolis

Beveridge, Albert J.....	Indianapolis
Bielby, Estal G.....	Lawrenceburg
Bingham, James, 1006 Fletcher Tr. Bldg.....	Indianapolis
§Bingham, Remster A., 1006 Fletcher Tr.....	Indianapolis
Blessing, Edgar M.....	Danville
Bogue, Oliver H.....	Richmond
Boling, Owen S., 120 State House.....	Indianapolis
Bomberger, Loudon L.....	Hammond
Bowers, John O.....	Gary
Bowser, Francis E.....	Warsaw
Boyd, Jackson	Greencastle
Boyd, Leander D.....	Delphi
Boulds, Allen.....	West Lafayette
Brady, Arthur W.....	Anderson
Brady, John W.....	Evansville
§Branch, Emmett Forrest.....	Martinsville
Braun, Frederick C.....	Greenwood
Breen, William P.....	Ft. Wayne
Brewer, Samuel S.....	Peru
Bridwell, William H.....	Sullivan
Brockway, Howard T.....	Monticello
Brooks, Thomas J.....	Bedford
Brown, Arthur V., Union Trust Co.....	Indianapolis

Browne, John R.....	Marion
Bryson, Robert H., City Hall.....	Indianapolis
Buenting, Lueppo D., 522 State Life Bldg.....	Indianapolis
Burnett, Charles A.....	Lafayette
Burson, George.....	Winamac
Butler, Noble C., 204 Federal Bldg.....	Indianapolis
Caldwell, Frederick S. (State House).....	Winchester
Carey, Lawrence D.....	Monticello
Carr, Benjamin F.....	Monticello
§Carson, W. Cary.....	Indianapolis
§Carter, Solon J., 1514 Mchts. Bank Bldg.....	Indianapolis
*Carter, Vinson, Fletcher Trust Co.....	Indianapolis
Cartwright, John H.....	Delphi
§Cavins, Alexander G., 1125 Law Bldg.....	Indianapolis
Cavins, William.....	Bloomfield
Cawley, Verne G.....	Elkhart
Chaney, John C.....	Sullivan
Charles, William H.....	Marion
*Clancy, Michael J.....	Bluefields, Nicr.
Clancy, Sumner, 810 Ind. Pythian Bldg.....	Indianapolis
Clark, James L.....	Danville
Cline, Claude.....	Huntingtonn
Cockrum, John B., Wash. and Noble Sts.....	Indianapolis

Coffel, Hal H.....	Pennville
Coffin, Charles F., 1231 State Life Bldg.....	Indianapolis
Cole, Albert H.....	Peru
Cole, Charles A.....	Peru
Cole, Enos	Hartford City
Coleman, Jesse R.....	Tipton
Coleman, Lewis A., 1541 Lemcke Annex.....	Indianapolis
Collings, William A.....	Crawfordsville
Collins, Cornelius R.....	Michigan City
Collins, James A. (Criminal Court).....	Indianapolis
Collins, Jeremiah B.....	Michigan City
Conder, Earl R., State Sav. & Tr. Bldg.....	Indianapolis
Condo, Gus S.....	Marion
Conner, James D. Jr.....	Wabash
Conroy, Joseph H.....	Hammond
Cook, Charles H.....	Greenfield
Cook, Samuel E.....	Huntington
Cooper, Cassius B.	Columbus
Cooper, James A. Jr.....	Terre Haute
Corwin, Benjamin F.....	Greencastle
Cowger, Clarence R.....	Monticello
Cox, Charles E., 905 City Trust Bldg.....	Indianapolis
Cox, James F.....	Columbus

Cox, Linton A., State Sav. & Trust Bldg.....	Indianapolis
Crabill, Will G.....	South Bend
Craig, John W.....	Greensburg
Crane, Benjamin.....	Crawfordsville
Crane, George M.....	Indianapolis
Cravens, Joseph M.....	Madison
Cravens, Thomas S.	Lawrenceburg
Crumpacker, Edgar D.....	Valparaiso
Crumpacker, Frederick Charles.....	Hammond
†Crumpacker, Peter.....	Hammond
Crumpacker, Shepard J.....	South Bend
Cutler, Arthur D.....	Carlisle
Dailey, Frank C., 1354-62 Lemcke Annex....	Indianapolis
Dailey, Thomas A., 1027 Lemcke Bldg.....	Indianapolis
Daniels, Edward	Tipton
Daniels, Henry	Rockville
§Daniels, Joseph J.....	Indianapolis
Darroch, William	Kentland
Dausman, Ethan A. (State House, Indpls.)..	Goshen
Davidson, Robert F., 1300 Fletcher Trust....	Indianapolis
Davidson, Thomas E.....	Greensburg
Davies, Lewellyn E.....	Aurora
Davis, Lawrence B., Kahn Bldg.....	Indianapolis

Davis, Paul G., 1414 Fletcher Tr. Bldg.....	Indianapolis
Davis, Sidney B.....	Terre Haute
Dean, Griffith D.....	Indianapolis
Deery, James E., Law Building.....	Indianapolis
Deitch, Guilford A., 529 N. Penn. St.....	Indianapolis
Deupree, Everett L., 316 Law Bldg.....	Indianapolis
Dix, George O.....	Terre Haute
Dixon, Lincoln.....	North Vernon
Donaker, John W.	Columbus
Dougan, Zimri E.	Danville
Dowden, Samuel, 1311 Fletcher Tr. Bldg.....	Indianapolis
†Downing, Charles.....	Greenfield
Drake, James S.....	Goshen
Dreiblebiss, Robert B.....	Ft. Wayne
Drummond, Charles P.....	South Bend
Dryer, Charles A., 408 Ind. Trust Bldg.....	Indianapolis
Duncan, Chauncey W.....	Rushville
Duncan, Thomas (Mchts. Bank Bldg.).....	Princeton
Durre, Edgar.....	Evansville
Eberhart, George M.....	Huntington
Edenharter, Frank T., 615 Ind. Tr. Bldg.....	Indianapolis
Eikman, Edward C., 1010 Hume-Mansur....	Indianapolis
Elliott, Richard N.....	Connersville

Elliott, William F., 22 Union Trust Bldg.....	Indianapolis
Ellis, Frank.....	Muncie
Ellison, Thomas E.....	Ft. Wayne
Emhardt, Christian J., 1010 Hume-Mansur.....	Indianapolis
Emrick, Edwin H., 316 Law Bldg.....	Indianapolis
Esarey, Sol H., 702 Ind. Pythian Bldg.....	Indianapolis
Eschbach, Jesse E.....	Warsaw
Estabrook, Gay R., 10 Union Trust Bldg.....	Indianapolis
Evans, Herbert H.....	New Castle
Evans, Rowland, 933 Lemcke Bldg.....	Indianapolis
Evens, Alfred C.....	Lafayette
Ewbank, Louis B., Circuit Court.....	Indianapolis
Ewbank, Richard L., 933 State Life Bldg.....	Indianapolis
§Ewing, Oscar R., Legal Dept., Penn. R. R., Pittsburgh, Pa.	
Fansler, Michael L.....	Logansport
Farabaugh, Galitzen A.....	South Bend
Feibleman, Isadore, 905 Mchts. Bank Bldg.....	Indianapolis
Feightner, Milo N.....	Huntington
Felt, Edward W. (State House, Indpls.).....	Greenfield
Fender, George W.....	Logansport
Fesler, James W., 1515 Mchts. Bank Bldg.....	Indianapolis
Fischler, Karl V.....	Hammond
Fitzpatrick, Edward V., 822 State Life.....	Indianapolis

Fletcher, James C.	Knox
Foley, Michael E., 807 Terminal Bldg.....	Indianapolis
Forkner, George D.....	New Castle
*Fowler, Inman H.....	Spencer
Fraser, Daniel.....	Fowler
Frazer, James R.	Warsaw
Frazer, William D.....	Warsaw
Freeman, Gath P.....	Richmond
Frey, Philip W.....	Evansville
Gallaher, James P.....	Michigan City
Gardiner, Alonzo M.....	Richmond
Gaston, Carey W.....	Danville
Gates, Edw. E., Fletcher Am. Bank Bldg.....	Indianapolis
Gavin, Frank E., 1012 Hume-Mansur.....	Indianapolis
Gavin, James L., 1012 Hume-Mansur.....	Indianapolis
Gavin, William C., 1012 Hume-Mansur.....	Indianapolis
Gavit, Frank N.	Whiting
Gavit, John A.....	Hammond
Gemmill, Willard D.....	Marion
Gifford, George H.....	Tipton
Gilbert, Newton W., 16 Wall Street.....	New York, N. Y.
Gilkinson, Francis E.....	Shoals
Gillen, Courtland C.....	Greencastle

Gilmer, Frank.....	South Bend
Givan, Clinton H., 1108 State Life Bldg.....	Indianapolis
Givan, Martin J.....	Lawrenceburg
Glazebrook, Bradford D.....	Indiana Harbor
Gordon, Frank W.	Bluffton
Grable, Roscoe M.....	Lucerne
Graham, Archibald G.....	South Bend
Gray, Alvarado L.....	Huntingburg
Green, Thomas McKee.....	Rushville
Gresham, Otto (U. S. Cir. Ct. App.).....	Chicago
Gulley, Otis E.....	Danville
Haas, Schuyler A., 504 Lemcke Bldg.....	Indianapolis
Hack, Oren S., 525 Ind. Trust Bldg.....	Indianapolis
Hall, John J.....	Williamsport
Haller, Charles R.....	Huntington
Hamilton, Frank.....	Greensburg
Hammerschmidt, Louis M.....	South Bend
*Hammond, Edwin P.....	Lafayette
Hammond, William W., 307 Odd Fellow.....	Indianapolis
Hanan, J. Frank.....	Lagrange
Hanan, John W.....	Lagrange
Hanley, Charles W.....	Rensselaer
Hanly, J. Frank, 707 Odd Fellow Bldg.....	Indianapolis

Hanna, Charles T., 1027 Lemcke Bldg.....	Indianapolis
Harding, Chase.....	Crawfordsville
Harding, Lewis A.	Columbus
Hardy, Walter T.....	Hammond
Harman, James L.....	Elkhart
Harvey, Lawson M., State House.....	Indianapolis
Hastings, Elmer E. (State House, Indpls.) ..	Washington
Hastings, Milton S.....	Washington
Hatfield, Frank H.....	Evansville
Hawkins, Ernest M.....	Fowler
Haymond, William T.....	Muncie
Haynes, Paul Preston	Anderson
Hays, John T.....	Sullivan
Hays, Mead S.....	Marion
Hays, Hinkle C.	Sullivan
Hays, Will H.....	Sullivan
Haywood, George P.....	Lafayette
Heaton, Benjamin F.....	Ft. Wayne
Heaton, Owen N.....	Ft. Wayne
Heavilin, Roscoe A.....	Marion
Hemenway, James A.....	Boonville
Henderson, Charles E., 1106 Mchts. Bank.....	Indianapolis
Hendrickson, Harry C., 1119 Law Bldg.....	Indianapolis

Herron, Joseph C.....	Kokomo
Hester, George H.....	New Albany
Hibberd, John A.....	South Bend
Hickey, Andrew J.....	Laporte
Hickmann, Hubert	Spencer
Hile, William B.....	Elkhart
Hoban, Thomas M.....	South Bend
Hobbs, Oscar K.....	Salem
Hodges, W. F.....	Gary
Hogate, Enoch G.....	Bloomington
Hollett, John E., 200 Ind. Trust Bldg.....	Indianapolis
Holman, George W.....	Rochester
Honan, Thomas M.....	Seymour
Hood, Arthur M., 908 Hume-Mansur.....	Indianapolis
Hornbrook, H. H., 1100-5 Hume-Mansur.....	Indianapolis
Hostetter, Fred M.....	Evansville
Hottel, Milton B. (State House, Indpls.)....	Salem
Houck, William J.....	Marion
Hough, William Alfred.....	Greenfield
Houghton, Hileary Q.....	Vincennes
Hubbard, Arthur L.....	South Bend
Hubbard, Milford P.....	Brookville
Hubbell, Schuyler C.....	South Bend

Hugg, Martin M., 402 Ind. Trust Bldg.....	Indianapolis
Hughes, James P.....	Greencastle
Hughes, William A.....	Greenfield
Hulse, Edwin M.....	Ft. Wayne
Hunt, Charles D.....	Sullivan
Hutchinson, Frank E.	Lebanon
Ibach, Joseph G. (State House, Indpls.)	Hammond
Inman, Ephriam, 1150 Lemcke Annex.....	Indianapolis
§Jackson, Edward.....	New Castle
Jameson, John T., 406 Am. Cent. Life.....	Indianapolis
Jessup, Fred H.....	Kokomo
Jessup, Wilfred.....	Richmond
Jewett, Charles L.....	New Albany
Jewett, Charles W., City Hall.....	Indianapolis
Johnson, Emsley W., Law Bldg.....	Indianapolis
Jones, Aquilla Q., 307 Odd Fellow Bldg.....	Indianapolis
Jones, Arthur H., Ind. Pythian Bldg.....	Indianapolis
Jones, Clyde H.....	Lafayette
Jones, Vitus G.....	South Bend
§Joseph, Jackiel W., 302 State Sav. & Trust..	Indianapolis
Julien, George W.....	Delphi
Kahn, Isidor.....	Evansville
Kamman, John H.....	Seymour

Kappes, William P., 222 Farmers Trust.....	Indianapolis
Kaufman, Roscoe A.....	Huntington
Keach, Leroy J., 316 Law Bldg.....	Indianapolis
Kealing, Joseph B., 402 Ind. Trust Bldg.....	Indianapolis
Kean, Horace M.....	Jasper
Keith, Ernest R., 1023 Law Bldg.....	Indianapolis
Kelley, William H.	Richmond
Kelso, Charles D.	New Albany
Kenner, Sumner	Huntington
Kepperley, James E., Willys-Overland Co..	Toledo, O.
Ketcham, William A., 1008 Odd Fellow.....	Indianapolis
Kimmel, Frank.....	Lafayette
Kingsbury, John H., 617 Law Bldg.....	Indianapolis
§Kiplinger, John H.....	Rushville
Kirkpatrick, Lex J.....	Kokomo
Kitch, John W.	South Bend
Koons, George H.....	Muncie
Korbly, Charles A., Treasury Dept.....	Washington, D.C.
Kraus, Milton	Peru
Kreuzberger, Otto H.....	Evansville
Kurtz, George A.....	South Bend
Lairy, Moses B. (State House, Indpls.)	Logansport
Lambert, William W.....	Columbus

Landers, Howe Stone, State House.....	Indianapolis
Laughlin, Edgar T.....	Odon
Leach, Antoinette D.	Sullivan
Leathers, James M., 905 Fletcher Trust.....	Indianapolis
Leffler, Joseph G.....	Muncie
Lesh, U. S.....	Huntington
Lincoln, Chester A.....	Churubusco
Lindley, John W.....	Sullivan
Littleton, Frank L., 1021 Law Bldg.....	Indianapolis
Livengood, Arista T.	Covington
Lockwood, Virgil H., 1211 Fletcher Trust....	Indianapolis
Logsdon, Hiram M.	Evansville
Long, Byford E. Jr.....	Brownstown
Loring, Hannibal H.....	Valparaiso
MacFall, Russell T., 1216 State Life Bldg...	Indianapolis
MacKibbin, Stuart	South Bend
Marshall, Buena V.....	Terre Haute
Marshall, Thomas R. (Washington, D. C.)..	Indianapolis
Martindale, Charles, 1106 Fletcher Trust....	Indianapolis
Matson, Frederick E., 947 Lemcke Annex....	Indianapolis
Mattingly, Ezra.....	Washington
McAdams, Charles V.....	Lafayette
McAleer, William J.....	Hammond

*McBride, Robert W., 1239 State Life.....	Indianapolis
McCabe, Charles M.....	Crawfordsville
McCabe, Edwin F.....	Williamsport
*McConnell, Stewart T.....	Logansport
McDaniels, Erastus W.....	Shelbyville
McDonald, James E., 325 Law Bldg.....	Indianapolis
McFall, John E.....	Jasper
McGuire, Newton J., 1001 Law Bldg.....	Indianapolis
McInerny, William A.....	South Bend
§McKinney, A. Lyle.....	Hammond
McMahon, William W.....	Hammond
McMichael, Henry S., 1229 State Life.....	Indianapolis
McNary, Joseph T.....	Logansport
McNutt, John C.....	Martinsville
Mead, Joseph A.....	East Chicago
Means, Clarence W., 522 State Life Bldg.....	Indianapolis
Meloy, Harry C.....	North Vernon
Metzler, Arthur.....	Rochester
Meyer, Louis A.....	Vincennes
Milford, Charles R.....	Lafayette
Miller, Charles W., 1109 Fletcher Trust.....	Indianapolis
Miller, Mark H., 910 Fletcher Tr. Bldg.....	Indianapolis
Miller, Robert G.....	Bloomington

Miller, Samuel D., 1354-62 Lemcke Annex.....	Indianapolis
Mitchell, James L., 216 Ind. Trust Bldg.....	Indianapolis
Mitchell, William C.....	Lafayette
Moffett, Jeremiah W.....	Huntington
Moll, Theophilus J., Sup. Court, Rm. 5.....	Indianapolis
*Monks, Leander J., 931 Ind. Pythian Bldg.....	Indianapolis
Montgomery, Chester R.....	South Bend
†Montgomery, Orba F.....	Rochester
Montgomery, Oscar H.....	Seymour
Moore, Henry W., Vandalia Coal Co.....	Terre Haute
Moores, Charles W., 1300 Fletcher Trust.....	Indianapolis
Moores, Merrill, 1025 Law Bldg.....	Indianapolis
Moran, James J. (State House, Indpls.).....	Portland
Morris, Douglas.....	Rushville
Morris, Harvey.....	Salem
Morris, John Jr.....	Ft. Wayne
Morris, Samuel L.....	Ft. Wayne
Morris, Samuel Jr.....	Ft. Wayne
Morrison, James W.....	Frankfort
Moss, Ralph W.....	Hammond
Myers, David A. (State House, Indpls.).....	Greensburg
Myers, Quincy A., 202 Fletcher Am. Bank.....	Indianapolis
Myers, Stephen E.....	Washington

§Naftzger, Leslie R.....	Indianapolis
Nave, J. Shannon.....	Attica
Neible, Walter L.....	Edinburg
Nemeth, Desidevius D.....	South Bend
Nesbit, William R.....	Sullivan
Niezer, Charles M.....	Ft. Wayne
Noel, James W., 911 Lemcke Bldg.....	Indianapolis
Norris, Ralph W., Prest-O-Lite Co.....	Indianapolis
Obear, James O.....	Delphi
Obberreich, Louis H., 805 Fletcher Trust.....	Indianapolis
Offut, Samuel J.....	Greenfield
Ogden, James M., 1106-10 State Life.....	Indianapolis
Olds, Walter.....	Ft. Wayne
Oliver, William G.....	Franklin
Orbison, Charles J., 1012 Mchts. Bank.....	Indianapolis
Ortmeyer, Daniel H.....	Evansville
Osborn, Frank E.....	Laporte
Osborn, John E.....	Greensburg
Palmer, Truman F.....	Monticello
Parker, Herbert G., 700 Law Bldg.....	Indianapolis
Parker, Samuel.....	South Bend
Parks, George D.....	Lafayette
Parks, Morris R.....	Lafayette

Parr, Willett H.....	Lebanon
Patrick, Norman E., 603 Fidelity Trust.....	Indianapolis
Pattee, Frank B.....	Crown Point
Paynter, William H.....	Salem
Peak, J. Elmer	South Bend
Pearson, Henry P.....	Bedford
Perkins, Merritt H., 600 Ind. Trust Bldg.....	Indianapolis
Peters, Charles Hamilton.....	Knox
Peters, Glenn D.....	Hammond
Pettijohn, Charles C., 412 Ind. Tr. Bldg.....	Indianapolis
Phipps, Harry W.....	Jeffersonville
Phillips, Albert W.....	Columbus
Pickens, Samuel O., 1300 Fletcher Trust.....	Indianapolis
Pickens, William A., State Sav. & Trust.....	Indianapolis
Pierce, Henry D., 46 N. Penn. St.....	Indianapolis
Pierce, Henry D. Jr., 200 Ind. Tr. Bldg.....	Indianapolis
Piety, James E.....	Terre Haute
Piety, John O.....	Terre Haute
Plummer, Alfred H.....	Wabash
Pollard, Charles R.....	Delphi
§Pollard, C. Robert.....	Delphi
Pond, Oscar L., 1109 Law Bldg.....	Indianapolis
§Prass, Fred N.....	Lafayette

Proctor, Robert E.....	Elkhart
Pruitt, Edward E.....	Delphi
Purdum, William C.....	Kokomo
†Rabb, Albert	Indianapolis
Ralston, Samuel M., Fletcher Am. Bank.....	Lafayette
Randolph, Edgar D.....	Indianapolis
Rappaport, Leo M., 607 Fletcher Tr. Bldg.....	Indianapolis
Rariden, Frank G.....	Martinsville
Rauch, John G., Fletcher Trust Bldg.....	Indianapolis
Rawley, John M.....	Brazil
Reiter, Virgil S.....	Hammond
Remster, Charles, 1100-5 Hume-Mansur.....	Indianapolis
Remy, Charles F., 805 Fletcher Tr. Bldg.....	Indianapolis
Rheuby, Gould C., 382 DePont Bldg.....	Wilmington, Del.
Rhodes, David E.	Peru
Richards, Charles W., 428 Mchts. Bank.....	Indianapolis
Richman, Frank Nelson.....	Columbus
Ringer, Victor H.....	Williamsport
Ristine, Harley T.....	Crawfordsville
Roach, Will A.....	Delphi
§Robinson, Arthur R., 601 Ind. Tr. Bldg.....	Indianapolis
Robinson, William.....	Frankfort
Roby, Frank S., Odd Fellow Bldg.....	Indianapolis

Rochford, John J., Superior Court, Rm. 3.....	Indianapolis
Roe, Willis E.....	East Chicago
Roemler, Charles O., 1101 Law Bldg.....	Indianapolis
Roller, Rudolph J., 810 Pythian Bldg.....	Indianapolis
Romig, Iden S.....	South Bend
Rooker, William V., Board of Trade Bldg.....	Indianapolis
Rose, James H.....	Ft. Wayne
Ross, George E.....	Logansport
Rowley, Noah E.....	Laporte
Royse, Clarence A.....	Terre Haute
Royse, Lemuel W.....	Warsaw
Ruckleshaus, John C., 501 Ind. Tr. Bldg.....	Indianapolis
Rupe, John L.....	Richmond
Ryan, Michael A., 501 Ind. Trust Bldg.....	Indianapolis
Ryan, Oswald.....	Anderson
§Ryan, Russell J., 501 Ind. Trust Bldg.....	Indianapolis
Salsbury, Elias D., 719-24 Lemcke Bldg.....	Indianapolis
Sammons, Hume L.	Kentland
Sapp, Arthur Henry.....	Huntington
Saylor, Samuel M.....	Huntington
Schmidt, Paul H.....	Evansville
Schoonover, Isaac E.....	Covington
Schortemeier, Frederick E., 933 Lemcke.....	Indianapolis

Schuh, Charles J., 914 Hume-Mansur.....	Indianapolis
Scott, Elmer E., 923 Lemcke Bldg.....	Indianapolis
Scotten, Ernest G.	New Castle
Sedwick, John E.....	Martinsville
Sellers, Emory B.	Monticello
Shake, Curtis G.....	Vincennes
Shakes, Rudolph V.....	Plymouth
Shelby, Andrew J.....	Lebanon
Shea, Joseph H.....	Valparaiso, Chile
Sheridan, Harry C.....	Frankfort
Shirley, Cassius C.....	Kokomo
*Shirley, William S.....	Martinsville
Shirts, George, 1503 Mchts. Bank Bldg.....	Indianapolis
Shiveley, Ray K.....	Richmond
Shively, Bernard Bobbs.....	Marion
Sills, Addison K. Jr.....	Monticello
Simmons, Abram.....	Blufftonn
Simms, Daniel W., Mchts. Nat. Bank.....	Los Angeles, Cal.
Slack, L. Ert, Federal Bldg.....	Indianapolis
§Slick, Albert.....	South Bend
Slinkard, William L.....	Bloomfield
Smith, Charles W., 1100 Hume-Mansur.....	Indianapolis
Smith, Donald L.....	Rushville

Smith, Lisle A., Meridian Life Bldg.....	Indianapolis
Smith, Ralph N.....	Laporte
Smith, William C.....	Delphi
Smith, William H.....	Lebanon
Spann, Henry N., 315 Ind. Trust Bldg.....	Indianapolis
Sparks, Will M.....	Rushville
Spencer, John W. (State House, Indpls.)....	Evansville
Springer, Raymond S.....	Connersville
Sproat, Erie G.....	Hammond
Starr, Henry C.....	Richmond
State, James H.....	Elkhart
Stevens, Smith N.....	Plymouth
Stevenson, Elmer E., 1207 Fletcher Trust....	Indianapolis
Stevenson, Thomas D., 1207 Fletcher Trust..	Indianapolis
Stinson, John M.....	Hammond
Stotsenburg, Evan B.	New Albany
Stout, Elmer W., Fletcher Am. Bank.....	Indianapolis
Street, Roy C.....	Lafayette
Strong, Ephraim K.....	Columbia City
Stuart, Allison E.....	Lafayette
Stuart, Charles H.....	Lafayette
Stuart, William V.....	Lafayette
Swan, Elbert M.....	Rockport

Sweeney, Michael A.....	Jasper
Taylor, Arthur H.....	Petersburg
Taylor, Edwin.....	Evansville
Taylor, Harold, 809 Hume-Mansur Bldg.....	Indianapolis
Taylor, William L., 621 State Life Bldg.....	Indianapolis
Teegarden, John C.....	Anderson
Thompson, Francis Marion.....	Versailles
§Thompson, William H., 1354 Lemcke Annex.....	Indianapolis
Thornton, William W., Sup. Court, Rm 1.....	Indianapolis
Tingle, Walter J., 905 City Trust Bldg.....	Indianapolis
Tinkham, C. B.....	Hammond
Titsworth, John A.....	Rushville
Townsend, Howard L.....	Ft. Wayne
Trabue, Samuel Logan.....	Rushville
Tracewell, Robert N.....	Evansville
Traylor, Bomar.....	Jasper
Tremain, George L.....	Greensburg
Turner, George Edgar, 502 Am. Cent. Life.....	Indianapolis
Turner, Rollin A.....	Greensburg
Tuthill, Harry B.....	Michigan City
Ungar, Harry L.....	Plymouth
Van Briggles, L. H., 600 Fletcher Trust.....	Indianapolis
Vandevier, Richard	Milford

Vandever, Simon L.	Princeton
Van Fleet, Vernon W.	South Bend
Vanier, J. Olias, State Life Bldg.	Indianapolis
Van Nuys, Frederick, Lemcke Bldg.	Indianapolis
Van Osdol, James A.	Anderson
Vaughan, William M.	Covington
Vesey, Allen J.	Ft. Wayne
Vesey, William J.	Ft. Wayne
Vinton, Henry H.	Lafayette
Voight, George H.	Jeffersonville
Voorhis, Warren R.	Kokomo
Wade, Fred J., 821 State Life Bldg.	Indianapolis
Wair, Harry R.	South Bend
Walker, Henry B.	Evansville
Walker, Merle N. A., 200 Ind. Tr. Bldg.	Indianapolis
Ward, Albert.	Peru
Warner, Herbert D.	South Bend
Warrington, Carina C.	Ft. Wayne
Wason, James P.	Delphi
Watkins, Charles W.	Huntington
Watson, James E. (Washington, D. C.)	Rushville
Waugh, Dan.	Tipton
Weathers, John H.	New Albany

Weaver, John, Meridian Life Bldg.....	Indianapolis
Welman, John D.....	Evansville
Whinery, William J.....	Hammond
Whitcomb, Larz A., 1311 Fletcher Trust.....	Indianapolis
White, Edward M., 1121 Law Bldg.....	Indianapolis
White, Frederick Garfield	Richmond
Wickens, Hugh D.....	Greensburg
Wilkie, Herman F.	Elwood
Wiley, Ulric Z., 600 Fletcher Trust Bldg.....	Indianapolis
Wilkinson, Philip, 504 Lemcke Bldg.....	Indianapolis
Williams, David P., Legal Dpt., Van. R. R....	St. Louis, Mo.
Williams, Joseph W.....	Martinsville
Williams, John G., 403 Innd. Trust Bldg.....	Indianapolis
Willson, Romney L., 805 State Life Bldg.....	Indianapolis
Wilson, Jesse E.	Hammond
§Winters, Bert	Lebanon
Wise, Adam E.....	Plymouth
Woesdorfer, Minnie.....	Indianapolis
Wolf, Conrad.....	Kokomo
Wolfe, Normann F.	Laporte
Wood, Carl E., 513 Trac. Ter. Bldg.....	Indianapolis
Wood, Sol A.....	Ft. Wayne
Wood, Will R.....	Lafayette

Woodward, Fred.....	South Bend
Woollen, Evans, Fletcher Sav. & Trust Co....	Indianapolis
*Woollen, Wm. W., 518 Am. Cent. Life Ins....	Indianapolis
Yeagley, John G.....	South Bend
York, Guy R.....	Peru
Young, Howard S., 1517 Mchts. Bank.....	Indianapolis
Zigler, Edward B.....	Elkhart
Zoercher, Philip, 603 Fidelity Trust Bldg.....	Indianapolis
Zollars, Fred E.....	Ft. Wayne

Total number members, 598.

List of Members by Congressional Districts

FIRST DISTRICT.

Gibson, Pike, Posey, Spencer, Vanderburg, Warrick.

GIBSON COUNTY.

Duncan, ThomasPrinceton

Vandever, Simon L.....Princeton

PIKE COUNTY.

Taylor, Arthur H.....Petersburg

SPENCER COUNTY.

Swan, Elbert M.....Rockport

VANDERBURG COUNTY.

Brady, John W.....Evansville

Durre, EdgarEvansville

Frey, Philip W.....Evansville

Hatfield, Frank H.....Evansville

Hostetter, Fred M.....Evansville

Kahn, IsidorEvansville

Kreuzberger, Otto H.....	Evansville
Logsdon, Hiram M.....	Evansville
Ortmeyer, Daniel	Evansville
Schmidt, Paul H.....	Evansville
Spencer, John W.....	Evansville
Taylor, Edwin	Evansville
Tracewell, Robert N.....	Evansville
Welman, John D.....	Evansville

WARRICK COUNTY.

Hemenway, James A.....	Boonville
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Total members First District, 19.

SECOND DISTRICT.

Daviess, Greene, Knox, Martin, Monroe, Morgan, Owen,
Sullivan.

DAVIESS COUNTY.

Allen, Arthur W.....	Washington
Hastings, Elmer E.....	Washington
Hastings, Milton S.....	Washington
Laughlin, Edgar T.....	Odon
Mattingly, Ezra	Washington
Myers, Stephen E.....	Washington

GREENE COUNTY.

Cavins, William L.....Bloomfield

Slinkard, WilliamBloomfield

KNOX COUNTY.

Meyer, Louis A.....Vincennes

Shake, Curtis G.....Vincennes

Houghton, Hileary Q.....Vincennes

MARTIN COUNTY.

Gilkinson, Francis E.....Shoals

MONROE COUNTY.

Beeler, William Henry.....Bloomington

Hogate, Enoch G.....Bloomington

Miller, Robert G.....Bloomington

MORGAN COUNTY.

Branch, Emmet F.....Martinsville

McNutt, John C.....Martinsville

Rariden, Frank G.....Martinsville

Sedwick, John E.....Martinsville

Shirley, William S.....Martinsville

Williams, Joseph W.....Martinsville

OWEN COUNTY

Fowler, Inman H.....Spencer

Hickam, HubertSpencer

SULLIVAN COUNTY.

Bays, Frederick F.....Sullivan

Bays, Lee Fenton.....Sullivan

Bridwell, William H.....Sullivan

Chaney, John C.....Sullivan

Cutler, Arthur D.....Carlisle

Hays, John T.....Sullivan

Hays, Hinkle C.....Sullivan

Hays, Will H.....Sullivan

Hunt, Charles D.....Sullivan

Leach, Antoinette D.....Sullivan

Lindley, John W.....Sullivan

Nesbit, William R.....Sullivan

Total members Second District, 35.

THIRD DISTRICT.

Clark, Crawford, Dubois, Floyd, Harrison, Lawrence, Orange,
Perry, Scott, Washington

CLARK COUNTY.

Phipps, Harry W.....Jeffersonville

Voight, George H.....Jeffersonville

DUBOIS COUNTY.

Gray, Alvarado L.....	Huntingburg
Kean, Horace M.....	Jasper
McFall, John E.....	Jasper
Sweeney, Michael A.....	Jasper
Traylor, Bomar	Jasper

FLOYD COUNTY.

Hester, George H.....	New Albany
Jewett, Charles L.....	New Albany
Kelso, Charles D.....	New Albany
Stotsenburg, Evan B.....	New Albany
Weathers, John H.....	New Albany

LAWRENCE COUNTY.

Brooks, Thomas J.....	Bedford
Pearson, Henry P.....	Bedford

WASHINGTON COUNTY.

Hobbs, Oscar K.....	Salem
Hottel, Milton B.....	Salem
Morris, Harvey	Salem
Paynter, William H.....	Salem

Total members Third District, 18.

FOURTH DISTRICT.

Bartholomew, Brown, Dearborn, Decatur, Jackson, Jefferson,
Jennings, Johnson, Ohio, Ripley, Switzerland.

BARTHOLOMEW COUNTY.

Baker, Charles S.....	Columbus
Cooper, Cassius B.....	Columbus
Cox, James F.....	Columbus
Donaker, John W.....	Columbus
Harding, Lewis A.....	Columbus
Lambert, William W.....	Columbus
Phillips, Albert W.....	Columbus
Richman, Frank Nelson.....	Columbus

DEARBORN COUNTY.

Bielby, Estal G.....	Lawrenceburg
Cravens, Thomas S.....	Lawrenceburg
Davies, Llewellyn E.....	Aurora
Givan, Martin J.....	Lawrenceburg

DECATUR COUNTY.

Craig, John W.....	Greensburg
Davidson, Thomas E.....	Greensburg
Hamilton, Frank	Greensburg
Myers, David A.....	Greensburg

Osborn, John E.....	Greensburg
Tremain, George L.....	Greensburg
Turner, Rollin A.....	Greensburg
Wickens, Hugh D.....	Greensburg

JACKSON COUNTY.

Applewhite, Ralph B.....	Brownstown
Barnes, Seba A.....	Seymour
Honan, Thomas M.....	Seymour
Kamman, John H.....	Seymour
Long, Byford E., Jr.....	Brownstown
Montgomery, Oscar H.....	Seymour

JEFFERSON COUNTY.

Cravens, Joseph M.....	Madison
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JENNINGS COUNTY.

Dixon, Lincoln	North Vernon
Meloy, Harry C.....	North Vernon

JOHNSON COUNTY.

Braun, Frederick	Greenwood
Neible, Walter L.....	Edinburg
Oliver, William G.....	Franklin

RIPLEY COUNTY.

Thompson, Francis Marion.....Versailles

Total members Fourth District, 33.

FIFTH DISTRICT.

Clay, Hendricks, Parke, Putnam, Vermillion, Vigo.

CLAY COUNTY.

Rawley, John M.....Brazil

HENDRICKS COUNTY.

Blessing, Edgar M.....Danville

Clark, James L.....Danville

Dougan, Zimri E.....Danville

Gaston, CareyDanville

Gulley, Otis E.....Danville

PARKE COUNTY.

Daniels, HenryRockville

PUTNAM COUNTY.

Boyd, JacksonGreencastle

Corwin, Benjamin F.....Greencastle

Gillen, Courtland C.....Greencastle

Hughes, James P.....Greencastle

VIGO COUNTY.

Beasley, John T.....	Terre Haute
Cooper, James A., Jr.....	Terre Haute
Davis, Sidney B.....	Terre Haute
Dix, George O.....	Terre Haute
Marshall, Buenna V.....	Terre Haute
Moore, Henry W.....	Terre Haute
Piety, James E.....	Terre Haute
Piety, John O.....	Terre Haute
Royse, Clarence A.....	Terre Haute

Total members Fifth District, 20.

SIXTH DISTRICT.

Fayette, Franklin, Hancock, Henry, Rush, Shelby, Union, :
Wayne.

FAYETTE COUNTY.

Barrows, Frederick I.....	Connersville
Elliott, Richard N.....	Connersville
Springer, Raymond S.....	Connersville

FRANKLIN COUNTY.

Hubbard, Milford P.....	Brookville
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HANCOCK COUNTY.

Cook, Charles H.....	Greenfield
Downing, Charles	Greenfield
Felt, Edward W.....	Greenfield
Hough, William Alfred.....	Greenfield
Hughes, William A.....	Greenfield
Offut, Samuel J.....	Greenfield

HENRY COUNTY.

Evans, Herbert H.....	Newcastle
Forkner, George D.....	Newcastle
Jackson, Edward	Newcastle
Scotten, Ernest G.....	Newcastle

RUSH COUNTY.

Duncan, Chauncey W.....	Rushville
Green, Thomas McKee.....	Rushville
Kiplinger, John H.....	Rushville
Morris, Douglas	Rushville
Sparks, Will M.....	Rushville
Smith, Donald L.....	Rushville
Titsworth, John A.....	Rushville
Traube, Samuel Logan.....	Rushville
Watson, James E.....	Rushville

SHELBY COUNTY.

McDaniels, Erastus W.....Shelbyville

WAYNE COUNTY.

Bogue, Oliver H.....Richmond

Freeman, Gath P.....Richmond

Gardiner, Alonzo M.....Richmond

Jessup, WilfredRichmond

Kelley, William H.....Richmond

Rupe, John L.....Richmond

Shiveley, Ray K.....Richmond

Starr, Henry C.....Richmond

White, Frederick Garfield.....Richmond

Total members Sixth District, 33.

SEVENTH DISTRICT.

MARION COUNTY.

Adams, Robert A.....Indianapolis

Allen, Henry ClayIndianapolis

Ashby, SamuelIndianapolis

Ayres, Alexander C.....Indianapolis

Bamberger, RalphIndianapolis

Barker, Eleanor P.....Indianapolis

Barrett, Fred E.....	Indianapolis
Bartholomew, Pliny W.....	Indianapolis
Bastian, Willits A.....	Indianapolis
Batchelor, George H.....	Indianapolis
Beck, William S.....	Indianapolis
Beckett, Wymond J.....	Indianapolis
Bell, Joseph E.....	Indianapolis
Berryhill, James M.....	Indianapolis
Beveridge, Albert J.....	Indianapolis
Bingham, James	Indianapolis
Bingham, Remster A.....	Indianapolis
Boling, Owen S.....	Indianapolis
Brown, Arthur V.....	Indianapolis
Bryson, Robert H.....	Indianapolis
Buening, Lueppo D.....	Indianapolis
Butler, Noble C.....	Indianapolis
Carson, W. Carey	Indianapolis
Carter, Solon Jehu.....	Indianapolis
Carter, Vinson	Indianapolis
Cavins, Alexander C.....	Indianapolis
Clancy, Sumner	Indianapolis
Cockrum, John B.....	Indianapolis
Coffin, Charles F.....	Indianapolis

Coleman, Lewis A.....	Indianapolis
Collins, James A.....	Indianapolis
Conder, Earl R.....	Indianapolis
Cox, Charles E.....	Indianapolis
Cox, Linton A.....	Indianapolis
Crane, George M.....	Indianapolis
Dailey, Frank C.....	Indianapolis
Daily, Thomas A.....	Indianapolis
Daniels, Joseph J.....	Indianapolis
Davidson, Robert F.....	Indianapolis
Davis, Lawrence B.....	Indianapolis
Davis, Paul G.....	Indianapolis
Dean, Griffith D.....	Indianapolis
Deery, James E.....	Indianapolis
Deitch, Guilford A.....	Indianapolis
Deupree, Everett L.....	Indianapolis
Dowden, Samuel	Indianapolis
Dryer, Charles A.....	Indianapolis
Edenharter, Frank T.....	Indianapolis
Eikman, Edward C.....	Indianapolis
Elliott, William F.....	Indianapolis
Emhardt, Christian J.....	Indianapolis
Emrick, Edwin H.....	Indianapolis

Esarey, Sol H.....	Indianapolis
Estabrook, Gay R.....	Indianapolis
Evans, Rowland	Indianapolis
Ewbank, Louis B.....	Indianapolis
Ewbank, Richard L.....	Indianapolis
Feibleman, Isidore	Indianapolis
Fesler, James William.....	Indianapolis
Fitzpatrick, Edward V.....	Indianapolis
Foley, Michael E.....	Indianapolis
Gates, Edward E.....	Indianapolis
Gavin, Frank E.....	Indianapolis
Gavin, James L.....	Indianapolis
Gavin, William C.....	Indianapolis
Givan, Clinton H.....	Indianapolis
Haas, Schuyler A.....	Indianapolis
Hack, Oren S.....	Indianapolis
Hammond, William W.....	Indianapolis
Hanly, J. Frank.....	Indianapolis
Hanna, Charles T.....	Indianapolis
Harvey, Lawson M.....	Indianapolis
Henderson, Charles E.....	Indianapolis
Hendrickson, Harry C.....	Indianapolis
Hollett, John E.....	Indianapolis

Hood, Arthur M.....	Indianapolis
Hornbrook, Henry H.....	Indianapolis
Hugg, Martin M.....	Indianapolis
Inman, Ephriam	Indianapolis
Jameson, John T.....	Indianapolis
Jewett, Charles W.....	Indianapolis
Johnson, Emsley W.....	Indianapolis
Jones, Aquilla Q.....	Indianapolis
Jones, Arthur H.....	Indianapolis
Joseph, Jackiel W.....	Indianapolis
Kappes, William P.....	Indianapolis
Keach, Leroy J.....	Indianapolis
Kealing, Joseph B.....	Indianapolis
Keith, Ernest R.....	Indianapolis
Ketcham, William A.....	Indianapolis
Kingsbury, John H.....	Indianapolis
Korbly, Charles A.....	Indianapolis
Landers, Howe Stone.....	Indianapolis
Leathers, James M.....	Indianapolis
Littleton, Frank L.....	Indianapolis
Lockwood, Virgil H.....	Indianapolis
MacFall, Russell T.....	Indianapolis
Marshall, Thomas R.....	Indianapolis

Martindale, Charles	Indianapolis
Matson, Frederick E.....	Indianapolis
McBride, Robert W.....	Indianapolis
McDonald, James E.....	Indianapolis
McGuire, Newton J.....	Indianapolis
McMichael, Henry S.....	Indianapolis
Means, Clarence W.....	Indianapolis
Miller, Charles W.....	Indianapolis
Miller, Mark H.....	Indianapolis
Miller, Samuel D.....	Indianapolis
Mitchell, James L.....	Indianapolis
Moll, Theophilus J.....	Indianapolis
Monks, Leander J.....	Indianapolis
Moores, Charles W.....	Indianapolis
Moores, Merrill	Indianapolis
Myers, Quincy A.....	Indianapolis
Naftsger, Leslie R.....	Indianapolis
Noel, James W.....	Indianapolis
Norris, Ralph W.....	Indianapolis
Oberreich, Louis H.....	Indianapolis
Ogden, James M.....	Indianapolis
Orbison, Charles J.....	Indianapolis
Parker, Herbert G.....	Indianapolis

Patrick, Norman E.....	Indianapolis
Perkins, Merritt H.....	Indianapolis
Pettijohn, Charles C.....	Indianapolis
Pickens, Samuel O.....	Indianapolis
Pickens, William A.....	Indianapolis
Pierce, Henry D.....	Indianapolis
Pierce, Henry D., Jr.....	Indianapolis
Pond, Oscar L.....	Indianapolis
Rabb, Albert	Indianapolis
Ralston, Samuel M.....	Indianapolis
Rappaport, Leo M.....	Indianapolis
Rauch, John G.....	Indianapolis
Remster, Charles	Indianapolis
Remy, Charles F.....	Indianapolis
Richards, Charles W.....	Indianapolis
Robinson, Arthur R.....	Indianapolis
Roby, Frank S.....	Indianapolis
Rochford, John J.....	Indianapolis
Roemler, Charles O.....	Indianapolis
Roller, Rudolph J.....	Indianapolis
Rooker, William V.....	Indianapolis
Ruckelshaus, John C.....	Indianapolis
Ryan, Michael A.....	Indianapolis

Ryan, Russell J.....	Indianapolis
Salsbury, Elias D.....	Indianapolis
Schortemeier, Frederick E.....	Indianapolis
Schuh, Charles J.....	Indianapolis
Scott, Elmer E.....	Indianapolis
Shirts, George	Indianapolis
Slack, L. Ert	Indianapolis
Smith, Charles W.....	Indianapolis
Smith, Lisle A.....	Indianapolis
Spaan, Henry N.....	Indianapolis
Stevenson, Elmer E.....	Indianapolis
Stevenson, Thomas D.....	Indianapolis
Stout, Elmer W.....	Indianapolis
Taylor, Harold	Indianapolis
Taylor, William L.....	Indianapolis
Thompson, William H.....	Indianapolis
Thornton, William W.....	Indianapolis
Tingle, Walter J.....	Indianapolis
Turner, George Edgar	Indianapolis
Van Briggie, L. H.....	Indianapolis
Vanier, J. Olias	Indianapolis
Van Nuys, Frederick.....	Indianapolis
Wade, Fred J.....	Indianapolis

Walker, Merle N. A.....	Indianapolis
Weaver, John	Indianapolis
Whitcomb, Larz A.....	Indianapolis
White, Edward M.	Indianapolis
Wiley, Ulrich Z.....	Indianapolis
Wilkinson, Philip	Indianapolis
Williams, John G.....	Indianapolis
Willson, Romney L.....	Indianapolis
Woersdorfer, Minnie	Indianapolis
Wood, Carl E.....	Indianapolis
Woollen, Evans	Indianapolis
Woollen, William W.....	Indianapolis
Young, Howard S.....	Indianapolis
Zoercher, Philip	Indianapolis

Total members Seventh District, 181.

EIGHTH DISTRICT.

Adams, Delaware, Jay, Madison, Randolph, Wells.

DELAWARE COUNTY.

Ellis, Frank	Muncie
Haymond, William T.....	Muncie
Koons, George H.....	Muncie
Leffler, Joseph G.....	Muncie

JAY COUNTY.

Coffel, Hal H.....Pennville
Moran, James J.....Portland

MADISON COUNTY.

Brady, Arthur W.....Anderson
Ryan, OswaldAnderson
Teegarden, John C.....Anderson
Van Osdol, James A.....Anderson
Wilkie, Herman F.....Elwood

RANDOLPH COUNTY.

Caldwell, Frederick S.....Winchester

WELLS COUNTY.

Gordon, Frank W.....Bluffton
Simmons, AbramBluffton

Total members Eighth District, 14.

NINTH DISTRICT.

Boone, Carroll, Clinton, Fountain, Hamilton, Howard,
Montgomery, Tipton.

BOONE COUNTY.

Hutchinson, Frank E.....Lebanon
Parr, Willett H.....Lebanon

Shelby, Andrew J.....	Lebanon
Smith, William H.....	Lebanon
Winters, Bert	Lebanon

CARROLL COUNTY.

Boyd, Leander D.....	Delphi
Cartwright, John H.....	Delphi
Julien, George W.....	Delphi
Obear, James O.....	Delphi
Pollard, Charles R.....	Delphi
Pollard, C. Robert.....	Delphi
Pruitt, Edward E.....	Delphi
Roach, Will A.....	Delphi
Smith, William C.....	Delphi
Wason, James P.....	Delphi

CLINTON COUNTY.

Morrison, James W.....	Frankfort
Robinson, William	Frankfort
Sheridan, Harry C.....	Frankfort

FOUNTAIN COUNTY.

Livengood, Arista T.....	Covington
Nave, J. Shannon.....	Attica

Schoonover, Isaac E.....	Covington
Vaughan, William M.....	Covington

HOWARD COUNTY.

Barnes, Earl B.....	Kokomo
Bell, Milton	Kokomo
Herron, Joseph C.....	Kokomo
Jessup, Fred H.....	Kokomo
Kirkpatrick, Lex J.....	Kokomo
Purdum, William C.....	Kokomo
Shirley, Cassius C.....	Kokomo
Voorhis, Warren R.....	Kokomo
Wolf, Conrad	Kokomo

MONTGOMERY COUNTY.

Collings, William A.....	Crawfordsville
Crane, Benjamin	Crawfordsville
Harding, Chase	Crawfordsville
McCabe, Charles M.....	Crawfordsville
Ristine, Harley F.....	Crawfordsville

TIPTON COUNTY.

Coleman, Jesse R.....	Tipton
Daniels, Edward	Tipton

Gifford, George H.....Tipton

Waugh, DanTipton

Total members Ninth District, 40.

TENTH DISTRICT.

Benton, Jasper, Lake, Newton, Porter, Tippecanoe, Warren,
White.

BENTON COUNTY.

Fraser, DanielFowler

Hawkins, Ernest M.....Fowler

JASPER COUNTY.

Hanley, Charles W.....Rensselaer

LAKE COUNTY.

Ballard, Everett Guy.....Gary

Barnett, FredHammond

Bomberger, Loudon L.....Hammond

Bowers, John O.....Gary

Conroy, Joseph H.....Hammond

Crumpacker, Frederick Charles.....Hammond

Crumpacker, PeterHammond

Fischler, Karl V.....Hammond

Gavit, Frank N.....Whiting

Gavit, John A.....	Hammond
Glazebrook, Bradford D. L.....	Indiana Harbor
Hardy, Walter T.....	Hammond
Hodges, W. F.....	Gary
Ibach, Joseph G.....	Hammond
McAleer, William J.....	Hammond
McKinney, A. Lyle.....	Hammond
McMahon, William W.....	Hammond
Mead, Joseph A.....	East Chicago
Moss, Ralph W.....	Hammond
Pattee, Frank B.....	Crown Point
Peters, Glenn D.....	Hammond
Reiter, Vilgil S.....	Hammond
Roe, Willis E.....	East Chicago
Sproat, Erie G.....	Hammond
Stinson, John M.....	Hammond
Tinkham, C. B.....	Hammond
Whinery, William J.....	Hammond
Wilson, Jesse E.....	Hammond

NEWTON COUNTY.

Darroch, William	Kentland
Sammons, Hume L.....	Kentland

PORTER COUNTY.

Crumpacker, Edgar D.....	Valparaiso
Loring, Hannibal H.....	Valparaiso

TIPPECANOE COUNTY.

Baird, Rochester	Lafayette
Baird, Samuel P.....	Lafayette
Boulds, Allen	West Lafayette
Burnett, Charles A.....	Lafayette
Evens, Alfred C.....	Lafayette
Hammond, Edwin P.....	Lafayette
Haywood, George P.....	Lafayette
Jones, Clyde H.....	Lafayette
Kimmel, Frank	Lafayette
McAdams, Charles V.....	Lafayette
Milford, Charles R.....	Lafayette
Mitchell, William C.....	Lafayette
Parks, George D.....	Lafayette
Parks, Morris R.....	Lafayette
Prass, Fred N.....	Lafayette
Randolph, Edgar D.....	Lafayette
Street, Roy C.....	Lafayette
Stuart, Allison E.....	Lafayette

Stuart, Charles H.....	Lafayette
Stuart, William V.....	Lafayette
Vinton, Henry H.....	Lafayette
Wood, Will R.....	Lafayette

WARREN COUNTY.

Hall, John J.....	Williamsport
McCabe, Edwin F.....	Williamsport
Ringer, Victor H.....	Williamsport

WHITE COUNTY

Brockway, Howard T.....	Monticello
Carey, Lawrence D.....	Monticello
Carr, Benjamin F.....	Monticello
Cowger, Clarence R.....	Monticello
Palmer, Truman F.....	Monticello
Sellers, Emory B.....	Monticello
Sills, Addison K., Jr.....	Monticello

Total members Tenth District, 67.

ELEVENTH DISTRICT.

Blackford, Cass, Grant, Huntington, Miami, Pulaski, Wabash.

BLACKFORD COUNTY.

Cole, Enos	Hartford City
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CASS COUNTY.

Fansler, Michael L.....	Logansport
Fender, George W.....	Logansport
Grable, Roscoe M.....	Lucerne
Lairy, Moses B.....	Logansport
McConnell, Stewart T.....	Logansport
McNary, Joseph T.....	Logansport
Ross, George E.....	Logansport

GRANT COUNTY.

Amsden, William M.....	Marion
Browne, John R.....	Marion
Charles, William H.....	Marion
Condo, Gus S.....	Marion
Gemmill, Willard D.....	Marion
Hays, Mead S.....	Marion
Heavilin, Roscoe A.....	Marion
Houck, William J.....	Marion
Shively, Bernard Bobbs.....	Marion

HUNTINGTON COUNTY.

Cline, Claude	Huntington
Cook, Samuel E.....	Huntington
Eberhart, George M.....	Huntington

Feightner, Milo N.....	Huntington
Haller, Charles R.....	Huntington
Kaufman, Roscoe A.....	Huntington
Kenner, Sumner	Huntington
Lesh, U. S.....	Huntington
Moffett, Jeremiah W.....	Huntington
Sapp, Arthur Henry.....	Huntington
Saylor, Samuel M.....	Huntington
Watkins, Charles W.....	Huntington

MIAMI COUNTY.

Andrews, Claude G.....	Peru
Arnold, Leroy O.....	Peru
Brewer, Samuel S.....	Peru
Cole, Albert H.....	Peru
Cole, Charles A.....	Peru
Kraus, Milton	Peru
Rhodes, David E.....	Peru
Ward, Albert	Peru
York, Guy R.....	Peru

PULASKI COUNTY.

Burson, George	Winamac
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WABASH COUNTY.

Conner, James D., Jr.....Wabash

Plummer, Alfred H.....Wabash

Total members Eleventh District, 41.

TWELFTH DISTRICT.

Allen, DeKalb, Lagrange, Noble, Steuben, Whitley.

ALLEN COUNTY.

Alden, Samuel R.....Ft. Wayne

Barrett, James M.....Ft. Wayne

Breen, William P.....Ft. Wayne

Dreibelbiss, Robert B.....Ft. Wayne

Ellison, Thomas E.....Ft. Wayne

Heaton, Benjamin F.....Ft. Wayne

Heaton, Owen N.....Ft. Wayne

Hulse, Edwin M.....Ft. Wayne

Morris, John, Jr.....Ft. Wayne

Morris, Samuel L.....Ft. Wayne

Morris, Samuel L., Jr.....Ft. Wayne

Niezer, Charles M.....Ft. Wayne

Olds, WalterFt. Wayne

Rose, James H.....Ft. Wayne

Vesey, Allen J.....Ft. Wayne

Vesey, William J.....	Ft. Wayne
Wood, Sol A.....	Ft. Wayne
Warrington, Carina C.....	Ft. Wayne
Zollars, Fred E.....	Ft. Wayne

DEKALB COUNTY.

Atkinson, Edgar W.....	Auburn
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LAGRANGE COUNTY.

Hanan, J. Frank.....	Lagrange
Hanan, John W.....	Lagrange

WHITLEY COUNTY.

Lincoln, Chester A.....	Churubusco
Strong, Ephraim K.....	Columbia City

Total members Twelfth District, 24.

THIRTEENTH DISTRICT.

Elkhart, Fulton, Kosciusko, Laporte, Marshall, St. Joseph,
Starke.

ELKHART COUNTY.

Baker, Francis E.....	Goshen
Cawley, Verne G.....	Elkhart
Dausman, Ethan A.....	Goshen
Drake, James S.....	Goshen

Harman, James L.....	Elkhart
Hile, William B.....	Elkhart
Proctor, Robert E.....	Elkhart
State, James H.....	Elkhart
Zigler, Edward B.....	Elkhart

FULTON COUNTY.

Bernetha, Harry	Rochester
Holman, George W.....	Rochester
Metzler, Arthur	Rochester
Montgomery, Orba F.....	Rochester

KOSCIUSKO COUNTY.

Bowser, Francis E.....	Warsaw
Eschbach, Jesse E.....	Warsaw
Frazer, James R.....	Warsaw
Frazer, William D.....	Warsaw
Royse, Lemuel W.....	Warsaw
Vandever, Richard	Warsaw

LAPORTE COUNTY.

Collins, Cornelius R.....	Michigan City
Collins, Jeremiah B.....	Michigan City
Gallaher, James F.....	Michigan City
Hickey, Andrew J.....	Laporte

Osborn, Frank E.....	Laporte
Rowley, Noah E.....	Laporte
Smith, Ralph N.....	Laporte
Tuthill, Harry B.....	Michigan City
Wolfe, Norman F.....	Laporte

MARSHALL COUNTY.

Shakes, Rudolph V.....	Plymouth
Stevens, Smith N.....	Plymouth
Ungar, Harry L.....	Plymouth
Wise, Adam E.....	Plymouth

STARKE COUNTY.

Fletcher, James C.....	Knox
Peters, Charles Hamilton.....	Knox

ST. JOSEPH COUNTY.

Anderson, Andrew	South Bend
Crabill, Will G.....	South Bend
Crumpacker, Shepard J.....	South Bend
Drummond, Charles P.....	South Bend
Farabaugh, Galitzen P.....	South Bend
Gilmer, Frank	South Bend
Graham, Archibald G.....	South Bend

Hammerschmidt, Louis M.....	South Bend
Hibberd, John A.....	South Bend
Hoban, Thomas M.....	South Bend
Hubbard, Arthur L.....	South Bend
Hubbell, Schuyler C.....	South Bend
Jones, Vitus G.....	South Bend
Kitch, John W.....	South Bend
Kurtz, George A.....	South Bend
MacKibbin, Stuart	South Bend
McInerny, William A.....	South Bend
Montgomery, Chester R.....	South Bend
Nemeth, Disidevius, D.	South Bend
Parker, Samuel	South Bend
Peak, J. Elmer.....	South Bend
Romig, Iden S.....	South Bend
Slick, Albert	South Bend
Van Fleet, Vernon W.....	South Bend
Wair, Harry R.....	South Bend
Warner, Herbert D.....	South Bend
Woodward, Fred	South Bend
Yeagley, John G.....	South Bend

Total members Thirteenth District, 62.

NON-RESIDENT MEMBERS.

Adams, Andrew A., Arbuckle Bros.....	New York
Barrett, Charles E.....	Las Vegas, Nev.
Clancy, Michael J.....	Bluefields, Nic.
Ewing, Oscar R., Legal Dept., Penna. R. R....	Pittsburgh, Pa.
Gilbert, Newton W., 16 Wall St.....	New York
Gresham, Otto, U. S. Cir. Ct. App.....	Chicago, Ill.
Kepperley, James E., Willys-Overland Co....	Toledo, O.
Rheuby, Gould G., 382 DuPont Bldg.....	Wilmington, Del.
Shea, Joseph H.....	Valparaiso, Chile
Simms, Daniel W., Cit. Natl. Bk. Bldg.....	Los Angeles, Cal.
Williams, David P., Legal Dept. Vand'l'a R....	St. Louis, Mo.
Total non-resident members, 11.	

Total members, 598.

Life Members

Anderson, Andrew	South Bend
Bell, Milton	Kokomo
Carter, Vinson	Indianapolis
Clancy, Michael J.....	Bluefields, Nic.
Fowler, Inman H.....	Spencer
Hammond, Edwin P.....	Lafayette
McBride, Robert W.....	Indianapolis
McConnell, Stewart T.....	Logansport
Monks, Leander J.....	Indianapolis
Woollen, William Watson.....	Indianapolis

Affiliated Local Bar Associations

DECATUR COUNTY BAR ASSOCIATION.

Myron C. Jenkins.....President

Rollin A. Turner.....Secretary

GRANT COUNTY BAR ASSOCIATION.

Roscoe A. Heavilin.....President

Al. G. Messick.....Secretary

County List

Showing page of this volume where list of members occurs, the Congressional District and Judicial Circuit and number of members.

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Adams	8	26
Allen	304	12	38	19
Bartholomew	281	4	9	8
Benton	298	10	21	2
Blackford	301	11	28	1
Boone	295	9	20	5
Brown .....	.....	4	8	....
Carroll	296	9	39	10
Cass	302	11	29	7
Clark	279	3	4	2
Clay	283	5	13	1
Clinton	296	9	45	3
Crawford .....	.....	3	3	....
Daviess	277	2	49	6
Dearborn	281	4	7	4
Decatur	281	4	9	8
DeKalb	305	12	35	1
Delaware	294	8	46	4
Dubois	280	3	57	5
Elkhart	305	13	34	9
Fayette	284	6	37	3
Floyd	280	3	52	5
Fountain	296	9	61	4
Franklin	284	6	37	1
Fulton	306	13	41	4
Gibson	276	1	66	2
Grant	302	11	48	9
Greene	278	2	63	2
Hamilton	9	24

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Hancock	285	6	18	6
Harrison	3	3
Hendricks	283	5	55	5
Henry	285	6	53	4
Howard	297	9	62	9
Huntington	302	11	56	12
Jackson	282	4	40	6
Jasper	298	10	30	1
Jay	295	8	58	2
Jefferson	282	4	5	1
Jennings	282	4	6	2
Johnson	282	4	8	3
Knox	278	2	12	3
Kosciusko	306	13	54	6
Lagrange	305	12	34	2
Lake	298	10	31	28
Laporte	306	13	32	9
Lawrence	280	3	40	2
Madison	295	8	50	5
Marion	286	7	19	181
Marshall	307	13	41	4
Martin	278	2	49	1
Miami	303	11	51	9
Monroe	278	2	10	3
Montgomery	297	9	22	5
Morgan	278	2	15	6
Newton	299	10	30	2
Noble .....	.....	12	33	....
Ohio .....	.....	4	7	....
Orange .....	.....	3	42	....
Owen	279	2	10	2
Parke	283	5	68	1
Perry .....	.....	3	3	....
Pike	276	1	57	1
Porter	300	10	67	2
Posey .....	.....	1	11	....

	<i>Page</i>	<i>Cong. Dist.</i>	<i>Circuit</i>	<i>Number Members</i>
Pulaski	303	11	44	1
Putnam	283	5	64	4
Randolph	295	8	25	1
Ripley	283	4	6	1
Rush	285	6	65	9
Scott .....	.....	3	6	.....
Shelby	286	6	16	1
Spencer	276	1	2	1
Starke	307	13	44	2
Steuben .....	.....	12	35	.....
St. Joseph	307	13	60	28
Sullivan	279	2	14	12
Switzerland .....	.....	4	5	.....
Tippecanoe	300	10	23	23
Tipton	297	9	36	4
Union .....	.....	6	37	.....
Vanderburg	276	1	1	14
Vermillion .....	.....	5	47	.....
Vigo	284	5	43	9
Wabash	304	11	27	2
Warren	301	10	21	3
Warrick	277	1	2	1
Washington	280	3	42	4
Wayne	286	6	17	9
Wells	295	8	28	2
White	301	10	39	7
Whitley	305	12	33	2
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Total				<u>598</u>

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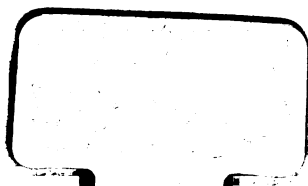
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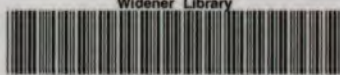
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